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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/12/2007

To: Inspection
General Counsel

Attn: IIS, Room 11361

Attn: NSLB, Room 7975

From: [REDACTED]

/Counterintelligence/Niagara Falls
Contact: SA [REDACTED]

Approved By: [REDACTED]

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Drafted By: [REDACTED]

(U) Case ID #: ~~(S)~~ 278-HQ-C1229736-VIOTitle: (U) SA [REDACTED]
SSA [REDACTED]
INTELLIGENCE OVERSIGHT BOARD (IOB) ERROR(U) Synopsis: ~~(S)~~ To report possible IOB error.(U) ~~(S)~~ Derived From : G-3
Declassify On: 03/12/2032b1
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Details:

(S) 1. [REDACTED]

(S) 2. [REDACTED]

(U) ~~(S)~~ 3. Possible IOB Error:(U) ~~(S)~~ The Attorney General's Guidelines Provision: Improper NSL Collection.(U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).

(S) In a National Security Letter (NSL) dated 03/25/2006 and uploaded as serial 90 of the file identified in line #1, [REDACTED] requested that [REDACTED]

[REDACTED] provide to the FBI the names and addresses of all financial institutions at which subject [REDACTED] maintained an account. This information was sought under the authority of Executive Order 12333, dated December 4, 1981, and

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CLASSIFIED BY 65179 DMH/KSF/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-14-2032~~SECRET~~ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

NSL VIO-35926

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To: Inspection From: [REDACTED]
(U) ~~(S)~~ Re: 278-HQ-C1229736-V10, 03/12/2007

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pursuant to Title 16, United States Code (USC), Section 1681u(a) (the Fair Credit Reporting Act (FCRA), as amended).

(U) ~~(S)~~ On 09/28/2006, [REDACTED] Investigative Support Specialist (ISS) [REDACTED] served the aforementioned NSL on [REDACTED], a representative of the Legal Department at [REDACTED]

(S) In a response on 10/03/2006, [REDACTED] provided ISS [REDACTED] a full credit history of subject [REDACTED] rather than the list of financial institutions originally requested in the NSL of 08/25/2006.

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(U) ~~(S)~~ The full credit history that was erroneously provided by [REDACTED] was attached to an electronic communication (EC) dated 10/04/2006 and uploaded by [REDACTED] as serial 100.

(U) ~~(S)~~ On 10/27/2006, after review by [REDACTED] Case Agent [REDACTED] Primary Relief Supervisor [REDACTED] initialed serial 100 for insertion into the file identified in line #1.

(U) ~~(S)~~ On 03/09/2007, while conducting of an audit of all FCRA NSLs as requested by FBIHQ, [REDACTED] Squad Support Technician (SST) [REDACTED] discovered and brought to the attention of SA [REDACTED] the fact that a full credit history report had been received in response to the NSL dated 08/25/2006.

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(S) Within 10 minutes after the discovery of the improper collection, SA [REDACTED] informed [REDACTED] Chief Division Counsel [REDACTED] of the possible Intelligence Oversight Board (IOB) violation. Additional review of the file identified in line #1 and consultation with Case Agent [REDACTED] determined that the information contained within the full credit history had been included in a summary analysis of subject [REDACTED] credit history that had been approved and uploaded as serial 108 of this file. No further action, either direct or indirect, had resulted from the erroneous receipt of the full credit history report.

(U) ~~(S)~~ On 03/09/2007, SA [REDACTED] directed SST [REDACTED] to remove serials 100 and 108 from the file identified in line #1. These files were then sent to CDC [REDACTED] for sequestering pending a determination of their disposition by FBIHQ.

(U) ~~(S)~~ On 03/12/2007, Case Agent [REDACTED] reported that he had destroyed all of his personal paper and electronic copies of this information.

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NSL VIO-35927

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To: Inspection From: [REDACTED]
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/12/2007

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

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NSL VIO-35928

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/15/2007

To: Inspection

Attn: Internal Investigations
Section

General Counsel

Room 11102
Attn: NSLB
Room 7975

From: [REDACTED]

Chief Division Counsel (CDC)

Contact: CDC [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

Case ID #: (U) 278-HQ-C1229736-VIO (Pending)

Title: (U) SPECIAL AGENT (SA) [REDACTED]
SUPERVISORY SPECIAL AGENT (SSA)
[REDACTED]

POSSIBLE INTELLIGENCE OVERSIGHT BOARD
(IOB) MATTER - COUNTERTERRORISM RELATED

Synopsis: (U) To provide notification of a possible IOB violation, and to request that this matter be reported as an IOB violation - if appropriate.

(U) ~~Derived From:~~ ~~FBI SCG G-3 1/97~~
~~Declassify On:~~ ~~03/15/2032~~

(U) ~~Details:~~ ~~Until 02/18/2007, SA [REDACTED] was assigned to the [REDACTED] counterterrorism squad and is a member of the Joint Terrorism Task Force (or JTTF). His supervisor was SSA [REDACTED]. Effective 02/18/2007, he was assigned to the Field Intelligence Group. His current supervisor is SSA [REDACTED].~~

(S) SA [REDACTED] is the case agent for the investigation captioned [REDACTED] file number [REDACTED] A
[REDACTED]

DATE: 12-14-2007
CLASSIFIED BY 65179 DMH/KSR/JB
REASON: 1.4(c)
DECLASSIFY ON: 12-14-2032

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ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

NSL VIO-35937

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To: Inspection From: [REDACTED]
Re: (U) 278-HQ-C1229736-V10, 03/15/2007

(S) By EC dated 09/29/2006, SA [REDACTED] caused a National Security Letter to be issued to [REDACTED] for the "name, address, length of service and local and long distance toll billing records" associated with [REDACTED] at the telephone number [REDACTED]. The relevant time period for requested records was from the inception of the account to the present. The NSL was dated 09/29/2006.

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(S) By EC dated 10/24/2006, [REDACTED] sent the [REDACTED] two copies of a CD containing [REDACTED] records for the telephone number [REDACTED]. Because the case agent was in training and away of the office, the data was not reviewed until January, 2007. On 02/07/2007, it was printed directly from the CD. Review showed that the records consisted of billing records for the period that subject [REDACTED] subscribed to the number [REDACTED]. But also included were billing records for two prior subscribers of the same number during previous years.

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(U)(X) SA [REDACTED] spotted the over-collection issue and brought it to the attention of the Chief Division Counsel (or CDC). By email dated 01/29/2007, the CDC requested guidance on how to handle this inadvertent over-collection from the Office of the General Counsel. Because the CDC received no response, the CDC Paralegal Specialist re-queried the Office of the General Counsel concerning this issue on 03/13/2007. That office stated that the matter is reportable as a potential Intelligence Oversight Board violation. The CDC ordered sequestration of the non-subject matter records. The records now stand sequestered in the CDC's safe.

(U)(X) [REDACTED]
[REDACTED]

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To: Inspection From: [REDACTED] b2
Re: (U) 278-HQ-C1229736-VIO, 03/15/2007 b7E

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) The Internal Investigations Section is requested to determine if the matter related in this communication should be reported as an IOB.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) NSLB is requested to determine if the matter related in this communication should be reported as an IOB.

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/13/2007

To: Inspection
General Counsel

Attn: IIS, Room 11361

Attn: NSLB, Room 7975

From: [REDACTED]

Contact: CDC [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

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(U) Case ID #: ~~(S)~~ 278-HQ-C1229736-V10 (Pending)
~~(S)~~ 278 [REDACTED] C45386 (Pending)
~~(S)~~ [REDACTED] (Pending)

Title: (U) SA [REDACTED]
 SSA [REDACTED]
 INTELLIGENCE OVERSIGHT BOARD (IOB) ERROR

(U) ~~(S)~~ Synopsis: To report possible IOB error for over collection of information.

(U) ~~(S)~~ ~~Derived From: G-3~~
~~Declassify On: X1~~

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- (S) 1. [REDACTED]
- (S) 2. [REDACTED]
- (U) ~~(S)~~ 3. Possible IOB Error: Over collection of information.
 (S) [REDACTED]
- (U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).

(S) Prior to being converted to a [REDACTED] investigation, National Security Letters (NSL) dated 10/07/2001 were served on [REDACTED]

[REDACTED] requesting information pursuant to the Fair Credit Reporting Act, 15 U.S.C. §1681u(b). 15 U.S.C. §1681u(b) specifically

DATE: 12-14-2007
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 REASON: 1.4 (c)
 DECLASSIFY ON: 12-14-2032

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 WHERE SHOWN OTHERWISE

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NSL VIO-35940

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To: Inspection From: [REDACTED]
(U) ~~(S)~~ Re: 278-HQ-C1229736-VIO, 03/13/2007

(S) allows the FBI to obtain information "limited to name, address, former address, places of employment, or former places of employment." In response, [REDACTED] provided full credit reports, including names, addresses and account numbers for financial institutions with which the subject had a relationship. [REDACTED] provided a summary of the names and addresses of financial institutions. [REDACTED] The financial institution information provided by [REDACTED] was outside the scope of 15 U.S.C. §1681u(b).

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(U) ~~(S)~~ The delay in reporting these over collections was due to the fact that the errors were not recognized until 3/13/2007 when an audit of NSL requests was made as directed by National Security Branch in an EC dated 3/05/2007, 319X-HQ-A1437720-OGC, serial 329. The information provided by [REDACTED] has been removed from the investigative file and will be sequestered with CDC [REDACTED] to await instructions from the National Security Law Branch regarding appropriate resolution of the potential IOE error.

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NSL VIO-35941

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To: Inspection From:
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/13/2007

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

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NSL VIO-35942

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/20/2007

To: Inspection
General Counsel

Attn: IIS, Room 11361

Attn: NSLB, Room 7975

From: [REDACTED]

Contact: SA [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

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(U) ~~Case ID #:~~ (S) 278-HQ-C1229736-VIO
(S) 278 [REDACTED] A95380

Title: (U) SA SA [REDACTED]
SSA SSA [REDACTED]
INTELLIGENCE OVERSIGHT BOARD (IOB) ERROR

(U) ~~Synopsis:~~ (S) To report possible IOB error.

(U) ~~Derived From:~~ (S) G-3
~~Declassify On:~~ 03/20/2032

Details:

(S) 1. [REDACTED]

(S) 2. [REDACTED]

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b7C(U) ~~3.~~ Possible IOB Error:

(S) [REDACTED]

(U) ~~4.~~ Description of IOB Error (including any reporting delays).

(S) On 08/30/2006, a National Security Letter (NSL) requesting subscriber information (name, address, and length of service) for the subject of [REDACTED] or a known residential address associated with [REDACTED] was approved for delivery to [REDACTED]. The NSL was subsequently served by the [REDACTED] Division in September 2006 on [REDACTED] and results were forwarded to [REDACTED] for review.

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(U) ~~5.~~ A review of the results (serial 58) indicated that [REDACTED] provided not only the requested information, but

DATE: 12-14-2007
CLASSIFIED BY: 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-14-2032

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WHERE SHOWN OTHERWISE

NSL VIO-35943

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To: Inspection From: [REDACTED]

(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/20/2007

included additional prior address information related to an individual associated with the requested address. This resulted in overcollection. The overcollected information returned from [REDACTED]

[REDACTED] was not requested by [REDACTED] in the approved and delivered NSL.

(U) ~~(S)~~ The overcollected information has been redacted and is not included in the case file. The original NSL results will be held by [REDACTED] until further guidance is received from the Office of General Counsel.

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NSL VIO-35944

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To: Inspection From:
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/20/2007

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

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~~SECRET//20320319~~
FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/19/2007

To: [REDACTED]
Inspection
General Counsel

Attn: AD [REDACTED]
Attn: IIS, Room 11861
Attn: NSLB, Room 7975

From: [REDACTED]

Contact: SA [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

Case ID #: ~~(S)~~ 278-HQ-C1229736-V10
~~(S)~~ 278 [REDACTED] A95380
~~(S)~~ 62E [REDACTED] A89455-IOB

(U)

Title: (U) REPORT OF POTENTIAL
INTELLIGENCE OVERSIGHT BOARD (IOB) ERROR

(U) Synopsis: ~~(S)~~ To report possible IOB error.

(U)

~~(S)~~ Derived From : G-3
~~(S)~~ Declassify On: 02/12/2032

Details:

(S) 1. [REDACTED]

(S) 2. [REDACTED]

(U) ~~(S)~~ 3. Possible IOB Error:

(S)

(U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).

(U) ~~(S)~~ A National Security Letter (NSL) dated 02/09/2006
directed to [REDACTED] for records related to the account of
above subject was requested, approved and served. The NSL requested
records of transactions from [REDACTED]

(U) ~~(S)~~ On 03/19/2007, [REDACTED] reviewed the records received
from [REDACTED] and found, one statement reflected transactions

DATE: 12-14-2007
CLASSIFIED BY 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-14-2032

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NSL VIO-35946

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To: Inspection From: [REDACTED]
(U) ~~Re: (S)~~ 278-HQ-C1229736-VIO, 03/19/2007

and account balances [REDACTED] and checks deposited dating [REDACTED] b2
[REDACTED] b7E

(U) ~~(S)~~ The original documents reflecting the information which was not requested have been forwarded to [REDACTED] ADC for sequestering. Redacted copies only reflecting the requested information will be retained for the case file.

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NSL VIO-35947

~~SECRET//20320319~~

To: Inspection From:
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/19/2007

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LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

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NSL VIO-35948

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/16/2007

To: General Counsel

Attn: [REDACTED]

Attn: FCI SSA [REDACTED]

From: [REDACTED]

Contact: SA [REDACTED]

Approved By: [REDACTED]

DECLASSIFIED BY 65179 DMH/KSP/JB
ON 12-14-2007

Drafted By: [REDACTED]

(U) **Case ID #:** (S) 278-HQ-C1229736-VIO (Pending)
(S) 62F-[REDACTED]-A89455-IOB (Pending)

(U) **Title:** (S) INTELLIGENCE OVERSIGHT BOARD
MATTER 2007-683 and MATTER 2007-684

(U) (S) INTELLIGENCE OVERSIGHT BOARD MATTERS

Synopsis: (U) To address Intelligence Oversight Board (IOB) concerns and cover lead.

(U) (S) ~~Derived From: G-3~~
~~Declassify On: 03/16/2007~~

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(U) **Reference:** (S) 62F-[REDACTED]-A89455-IOB Serial 22
(S) 278-HQ-C1229736-VIO Serials 2202 and 2203

(U) **Details:** (S) During January and February of 2007 the [REDACTED] served a National Security Letter (NSL) to [REDACTED] on behalf of the [REDACTED]. Upon receiving the results of this NSL request, the [REDACTED] determined that content information was included in the results and subsequently, the [REDACTED] coordinated with the [REDACTED] in order to resolve the matter. A second attempt by [REDACTED] to fulfill the NSL request also resulted in the receipt of possible email content information. After a third effort, [REDACTED] complied with the constraints for this type of NSL request and the appropriate information was provided. As a result of this matter, the [REDACTED] was compelled to report two separate

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To: General Counsel From: [REDACTED]
(U) ~~Re: [REDACTED]~~ 278-HQ-C1229736-VIO, 03/16/2007

IOB incidents to the Office of the General Counsel (OGC). See referenced serials for complete details.

(U) ~~[REDACTED]~~ In response to the IOB concerns noted above, the [REDACTED] received two leads from the OGC, both dated 02/21/2007. These leads requested that the [REDACTED] coordinate with the [REDACTED] to ensure that [REDACTED] has the appropriate protocols in place to prevent similar types of disclosure in the future.

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(U) ~~[REDACTED]~~ While resolving this NSL matter, the [REDACTED] Division recognized that the [REDACTED] clearly communicated the problem to [REDACTED] and ensured that corrective action was taken. Through dialogue between the [REDACTED] Division personnel and reporting agent, it was acknowledged that NSL compliance topics will be stressed for future NSL requests.

(U) ~~[REDACTED]~~ The [REDACTED] is confident that the [REDACTED] [REDACTED] aims to ensure that NSL recipients are informed of the criteria outlined in NSL requests.

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(U) ~~[REDACTED]~~ Per OGC request, [REDACTED] asks [REDACTED] to ensure that [REDACTED] has the appropriate protocols in place to prevent similar types of disclosure in the future.

(U) ~~[REDACTED]~~ [REDACTED] recognized that the matter involving [REDACTED] was not an isolated incident. As such, OGC is requested to coordinate with the appropriate FBI Headquarters personnel in order to ensure that the FBI field offices remind all service providers of appropriate protocols for complying with NSL requests.

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To: General Counsel From: [REDACTED]
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/16/2007

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LEAD(s) :

Set Lead 1: (Action)

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[REDACTED]

AT [REDACTED]

(U) ~~(S)~~ Per OGC request, [REDACTED] asks [REDACTED] to ensure that [REDACTED] has the appropriate protocols in place to prevent similar types of disclosure in the future.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) ~~(S)~~ [REDACTED] recognized that the matter involving [REDACTED] was not an isolated incident. As such, OGC is requested to coordinate with the appropriate FBI Headquarters personnel in order to ensure that the FBI field offices remind all service providers of appropriate protocols for complying with NSL requests.

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/13/2007

To: Inspection
General Counsel

Attn: IIS, Room 11361

Attn: NSLB, Room 7975

From: [REDACTED]

Contact: CDC [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

(U) Case ID #: ~~(S)~~ 278-HQ-C1229736-V10 (Pending)
~~(S)~~ 278-[REDACTED]-C45386 (Pending)
~~(S)~~ [REDACTED] (Closed)

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Title: (U) SA [REDACTED]
SSA [REDACTED]
INTELLIGENCE OVERSIGHT BOARD (IOB) ERROR

(U) Synopsis: ~~(S)~~ To report possible IOB error for over collection of information.

(U) ~~(S)~~ ~~Derived From: G-3~~
~~Declassify On: X1~~

Details:

- (S) 1. [REDACTED]
- (S) 2. [REDACTED]
- (U) ~~(S)~~ 3. Possible IOB Error: Over collection of information.
(S) [REDACTED]
- (U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).

(S) A National Security Letter (NSL) dated 07/03/2003 was served on [REDACTED] requesting information pursuant to the Fair Credit Reporting Act, 15 U.S.C. §1681u(b). 15 U.S.C. §1681u(b) specifically allows the FBI to obtain information "limited to name, address, former address, places of employment, or former places of employment." [REDACTED] provided the names and addresses of the financial institutions which were associated with [REDACTED]

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DATE: 12-14-2007
CLASSIFIED BY: 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-14-2032

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-35952

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To: Inspection From: [REDACTED]
(U) ~~(S)~~ Re: 278-HQ-C1229736-VIO, 03/13/2007

(S) [REDACTED] The financial institution information provided by [REDACTED] was outside the scope of 15 U.S.C. §1681u(b).

(S) NSLs dated 02/21/2004 were served on [REDACTED] requesting information pursuant to the Fair Credit Reporting Act, 15 U.S.C. §1681u(b). 15 U.S.C. §1681u(b) specifically allows the FBI to obtain information "limited to name, address, former address, places of employment, or former places of employment." The NSLs addressed to [REDACTED] requested those items as well as "the names and addresses of all financial institutions..." associated with [REDACTED]. [REDACTED] provided a full credit report, which included the financial institutions and account numbers with which [REDACTED] had a relationship. The financial institution information requested in the NSL as well as the information provided by [REDACTED] [REDACTED] was outside the scope of 15 U.S.C. §1681u(b).

(U) ~~(S)~~ The delay in reporting these three over collections was due to the fact that the errors were not recognized until 3/13/2007 when an audit of NSL requests was made as directed by National Security Branch in an EC dated 3/05/2007, 319X-EQ-A1487720-OGC, serial 329. The information provided by [REDACTED] has been removed from the investigative file and will be sequestered with CDC [REDACTED] to await resolution of the potential IOB error.

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NSL VIO-35953

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To: Inspection From:
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/13/2007

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LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

♦♦

~~SECRET~~

NSL VIO-35954

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/13/2007

To: Inspection
General CounselAttn: IIS, Room 11361
Attn: NSLB, Room 7975

From: [REDACTED]

Contact: CDC [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

(U) Case ID #: ~~(S)~~ 278-HQ-C1229736-V10 (Pending)
~~(S)~~ 278-[REDACTED]-C45386 (Pending)
(S) [REDACTED] (Closed)

b1
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b7E
b6
b7C

Title: (U) SA [REDACTED]
SSA [REDACTED]
INTELLIGENCE OVERSIGHT BOARD (IOB) ERROR

(U) Synopsis: ~~(S)~~ To report possible IOB error for over collection of information.

(U) ~~(S)~~ ~~Derived From: G-3~~
~~Declassify On: X1~~

Details:

- (S) 1. [REDACTED]
- (S) 2. [REDACTED]
- (U) ~~(S)~~ 3. Possible IOB Error: Over collection of information.
(S) [REDACTED]
- (U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).

b1
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b7C

(S) National Security Letters (NSL) dated 10/29/2003 were served on [REDACTED]

[REDACTED] requesting information pursuant to the Fair Credit Reporting Act, 15 U.S.C. §1681u(b). 15 U.S.C. §1681u(b) specifically allows the FBI to obtain consumer information "limited to name, address, former address, places of employment, or former places of employment." [REDACTED] provided a full credit report, which included the financial institutions and account numbers with which

b1
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b7D

DATE: 12-14-2007
CLASSIFIED BY: 65179 DMH/KSP/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-14-2032

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-35955

~~SECRET~~

To: Inspection From: [REDACTED]

(U) Re: ~~(S)~~ 278-HQ-C1229736-VIC, 03/13/2007

b2
b7D

(S) [REDACTED] had a relationship. [REDACTED] provided the names and addresses of the financial institutions which were associated with [REDACTED]. The financial institution information provided by [REDACTED] [REDACTED] was outside the scope of 15 U.S.C. §1681u(b).

(U) ~~(S)~~ The delay in reporting the over collections was due to the fact that the error was not recognized until 3/13/2007 when an audit of NSL requests was made as directed by National Security Branch in an EC dated 3/05/2007, 319X-HQ-A1487720-OGC, serial 329. The information provided by [REDACTED] has been removed from the investigative file and will be sequestered with CDC [REDACTED] to await instructions from the National Security Law Branch regarding appropriate resolution of the potential IOB error.

b1
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~~SECRET~~

NSL VIO-35956

~~SECRET~~

To: Inspection From:
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/13/2007

b2
b7E

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

♦♦

~~SECRET~~

NSL VIO-35957

~~SECRET~~
FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/13/2007

To: Inspection
General Counsel

Attn: IIS, Room 11361

Attn: NSLB, Room 7975

From: [REDACTED]

Contact: CDC [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

(U) Case ID #: ~~(S)~~ 278-HQ-C1229736-V10 (Pending)
~~(S)~~ 278-[REDACTED]-C45386 (Pending)
~~(S)~~ [REDACTED] (Closed)

Title: (U) SA [REDACTED]
 SSA [REDACTED]
 INTELLIGENCE OVERSIGHT BOARD (IOB) ERROR

(U) Synopsis: ~~(S)~~ To report possible IOB error for over collection of information.

(U) ~~(S)~~ ~~Derived From: G-3~~
~~Declassify On: X1~~

Details:

(S) 1. [REDACTED]

(S) 2. [REDACTED]

b1 (U) ~~(S)~~ 3. Possible IOB Error: Over collection of information.

(S) [REDACTED]

b2 (U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).

b6 (S) A National Security Letter (NSL) dated 1/27/2004 was served on [REDACTED] requesting information pursuant to the Fair Credit Reporting Act, 15 U.S.C. §1681u(b). 15 U.S.C. §1681u(b) specifically allows the FBI to obtain information "limited to name, address, former address, places of employment, or former places of employment." The NSL requested those items as well as "the names and addresses of all financial institutions..." associated with

DATE: 12-14-2007

CLASSIFIED BY: 65179 DMH/KSR/JB

REASON: 1.4 (c)

DECLASSIFY ON: 12-14-2032

~~SECRET~~

ALL INFORMATION CONTAINED
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 WHERE SHOWN OTHERWISE

NSL VIO-35958

~~SECRET~~

To: Inspection From: [REDACTED]

(U) ~~Re: (S)~~ 278-HQ-C1229736-VIO, 03/13/2007

(S) [REDACTED] provided a summary of the names and addresses of financial institutions which were associated with [REDACTED]. The financial information requested in the letter and the information provided by [REDACTED] was outside the scope of 15 U.S.C. §1681u(b).

b1

(U) ~~(S)~~ The delay in reporting was due to the fact that the error was not recognized until 3/13/2007 when an audit of NSL requests was made as directed by National Security Branch in an EC dated 3/05/2007. 319X-HQ-A1437720-OGC, serial 329. The information provided [REDACTED] has been removed from the investigative file and will be sequestered with CDC [REDACTED] to await instructions from the National Security Law Branch regarding appropriate resolution of the potential IOB error.

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~~SECRET~~

NSL VIO-35959

~~SECRET~~

To: Inspection From:
(U) ~~Re: [X]~~ 278-HQ-C1229736-VIO, 03/13/2007

b2
b7E

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

♦♦

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/13/2007

To: Inspection
General Counsel

Attn: IIS, Room 11361

Attn: NSLB, Room 7975

From: [REDACTED]

Contact: CDC [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

b1
b2
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b7C

(U) Case ID #: ~~(S)~~ 278-HQ-C1229736-V10 (Pending)
~~(S)~~ 278-[REDACTED]-C45386 (Pending)
~~(S)~~ [REDACTED] (Closed)

Title: (U) SA [REDACTED]
 SSA [REDACTED]
 INTELLIGENCE OVERSIGHT BOARD (IOB) ERROR

(U) Synopsis: ~~(S)~~ To report possible IOB error for over collection of information.

(U) ~~(S)~~ ~~Derived From: G-3~~
~~Declassify On: X1~~

Details:

- (S) 1. [REDACTED] b1
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- (S) 2. [REDACTED] b4
b7D
- (U) ~~(S)~~ 3. Possible IOB Error: Over collection of information. b6
b7C
 (S) [REDACTED]
- (U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).

(S) National Security Letters (NSL) dated 2/17/2005 were served on [REDACTED]

[REDACTED] requesting information pursuant to the Fair Credit Reporting Act, 15 U.S.C. §1681u(b). 15 U.S.C. §1681u(b) specifically allows the FBI to obtain information "limited to name, address, former address, places of employment, or former places of employment." The NSLs requested those items as well as "the names and addresses of all

DATE: 12-14-2007
 CLASSIFIED BY: 65179 DMH/KSR/JB
 REASON: 1.4 (c)
 DECLASSIFY ON: 12-14-2032

~~SECRET~~

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED EXCEPT
 WHERE SHOWN OTHERWISE

NSL VIO-35961

SECRET

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b7E
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b7D

To: Inspection From: [REDACTED]
(U) ~~(S)~~ Re: ~~(S)~~ 278-HQ-C1229736-V10, 03/13/2007

(S) financial institutions..." which were associated with [REDACTED]. In response, [REDACTED] provided a full credit report, including names, addresses and account numbers for financial institutions with which the subject had a relationship. [REDACTED] provided a summary of the names and addresses of financial institutions associated with [REDACTED]. The financial institution information requested in the NSL as well as the information provided by [REDACTED] was outside the scope of 15 U.S.C. §1681u(b).

(U) ~~(S)~~ The delay in reporting these over collections was due to the fact that the errors were not recognized until 3/13/2007 when an audit of NSL requests was made as directed by National Security Branch in an EC dated 3/05/2007, 319X-HQ-A1487720-OGC, serial 329. The information provided by [REDACTED] has been removed from the investigative file and will be sequestered with CDC [REDACTED] to await instructions from the National Security Law Branch regarding appropriate resolution of the potential IOE error.

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SECRET

~~SECRET~~

To: Inspection From:
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/13/2007

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b7E

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

◆◆

~~SECRET~~

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NSL VIO-35963

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 01/24/2007

To: Inspection
General Counsel

Attn: IIS, Room 11361

Attn: NSLB, Room 7975

From: [REDACTED]

Contact: SA [REDACTED]

Approved By: [REDACTED]

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b6
b7C

Drafted By: [REDACTED]

(U) ~~Case ID #:~~ ~~(S)~~ 278-HQ-C1229736-VIO

Title: (U) INTELLIGENCE OVERSIGHT BOARD (IOB) ERROR

(U) ~~Synopsis:~~ ~~(S)~~ To report possible IOB error.(U) ~~(S)~~ ~~Derived From:~~ ~~G-3~~
~~Declassify On:~~ 01/24/2032

Details:

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b7A

(S) 1. [REDACTED]

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b7C

The case agent is SA [REDACTED] and the supervisor is SSA [REDACTED]

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b7E

(S) 2. [REDACTED]

(U) ~~(S)~~ 3. Possible IOB Error:

(S) [REDACTED]

b1
b7A(U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).b6
b7C

(S) On 10/3/2006, SA [REDACTED] Division, sent a National Security Letter (NSL) to [REDACTED] for cellular telephone records for two telephone numbers believed to be associated or had been previously associated with the subject, [REDACTED]. The records were requested to determine the full scope of the subject's activities to include the identity of the subject's contacts and associates. On 10/11/2006, SA [REDACTED] received a written notice from [REDACTED] that the

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b7D

DATE: 12-14-2007
CLASSIFIED BY: 65179 DMH/KSR/JE
REASON: 1.4 (c)
DECLASSIFY ON: 12-14-2032

~~SECRET~~

ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

NSL VIO-35964

~~SECRET~~

To: Inspection From: [REDACTED]
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 01/14/2007

(subject's) name provided on the NSL did not match their billing records. [REDACTED] requested that the NSL be resubmitted with the cellular telephone numbers and date range without the subject's name.

(S) On 11/14/2006, SA [REDACTED] submitted a second NSL to [REDACTED] for records for the same telephone numbers. Pursuant to [REDACTED] instruction, SA [REDACTED] did not include the subject's name on the NSL. On 12/18/2006, SA [REDACTED] received a package of records from [REDACTED] responsive to the NSL. On 1/17/2007, SA [REDACTED] opened and reviewed the records. Records provided for telephone [REDACTED] were associated with the subject, however, the billing records identified the subscriber as the subject's employer. Records provided for cellular number [REDACTED] also reflected that the subject was not the subscriber of the telephone number. Upon further review, SA [REDACTED] determined the records provided for number [REDACTED] for the requested date range were not associated with the subject. The actual subscriber of [REDACTED] is a presumed USPER. On the same date, SA [REDACTED] immediately reported the inadvertent collection error to ADO [REDACTED]. The information erroneously collected was not entered into any FBI data base or system and is currently in the CDC's safe.

(S) At the time of making the first request for the phone records, SA [REDACTED] believed in good faith that the subject had a previous association with cellular telephone number [REDACTED]. Additionally, with regard to the second request, [REDACTED] response to the first NSL indicated to SA [REDACTED] that, although the billing records were not subscribed to by the subject, the subject had some association with both cell phone numbers including [REDACTED].

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NSL VIO-35965

~~SECRET~~

To: Inspection From: [REDACTED]
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 01/24/2007

b2
b7E

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

♦♦

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/12/2007

To: Inspection
General Counsel

Attn: IIS, Room 11361

Attn: NSLB, Room 7975

Attn: [REDACTED]

From: [REDACTED]

Legal

Contact: [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

(U) Case ID #: ~~(S)~~ 278-HQ-C1229736-VIO~~(S)~~ 197A- [REDACTED] 66748

(S) [REDACTED]

Title: (U) SA INTELLIGENCE OVERSIGHT BOARD (IOB) ERROR

(U) Synopsis: ~~(S)~~ To report possible IOB error.

(U)

~~(S)~~~~Derived From: G-3~~~~Declassify On: 03/06/2032~~

Details:

(S) 1. [REDACTED]

[REDACTED] The case agent is TFO [REDACTED] and the supervisor is SSA [REDACTED]

(S) 2. [REDACTED]

(U) ~~(S)~~ 3. Possible IOB Error: Inadvertent Over collection(U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).

During, or about, October 2006, [REDACTED] ADC [REDACTED] [REDACTED] was contacted by ISS [REDACTED] about a possible over collection on behalf of the [REDACTED] had become aware that two NSL's had been submitted to [REDACTED] by the [REDACTED] Both NSLs were Fair Credit Reporting Act NSLs and requested partial credit reports pursuant to 15 USC Section 1681u. When the information was returned [REDACTED] had been given

DATE: 12-14-2007

CLASSIFIED BY: 65179 DMH/KSR/JB

REASON: 1.4 (c)

DECLASSIFY ON: 12-14-2032

~~SECRET~~ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

NSL VIO-35967

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b7E
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b6
b7C

~~SECRET~~

To: Inspection From: [REDACTED]
(U) Re: ~~(S)~~ 278-HQ-C1229736-V10, 03/12/2007

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b7C

results of a full credit report pursuant to 15 USC 1681v. These examples of over collection have already been submitted to Inspection Division as possible IOBs.

Since that time [REDACTED] has done extensive investigation into [REDACTED] and this overcollection issue to determine if these were isolated incidents or evidence of a more endemic problem.

On October 3, 2006, ADO [REDACTED] spoke with [REDACTED] who stated that [REDACTED] did not have the technology to redact information from a full credit to render a partial section 1681u(a) or 1681 u(b) credit report. ADO [REDACTED] continued discussion on how best to review the thousands of legal documents submitted to [REDACTED] to determine how widespread the problem had become. Eventually it was agreed that [REDACTED] should check the FBI ACS databases with "FCRA", "1681", and "NSL" and [REDACTED] as keywords. Numerous hits were returned. Of those, nine returns (including the previously mentioned two [REDACTED] [REDACTED] NSLs) indicated full credit reports generated from section 1681u requests. ADO [REDACTED] conducted further discussions. [REDACTED] agreed to make redactions from future 1681u requests by hand. Since that time, there have been no further incidents of full credit reports or section 1681u NSL requests.

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The additional seven NSLs listed as possible IOB's are:

(S)

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]
5. [REDACTED]
6. [REDACTED]
7. [REDACTED]

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b7D

This EC reports on the over collection in the [REDACTED] case. The four [REDACTED] cases have been addressed in 4 separate ECs previously sent as possible IOB under separate cover. The 2 [REDACTED] cases are being addressed by the [REDACTED]

Through investigation and discussions between NSLB, and the [REDACTED] other problems have been discovered. Many inconsistencies and some of the confusion has stemmed from the relationship between [REDACTED]. At present, solutions have been put in place which, based on the fact that no future over collections have been observed, seem to be working. FBI [REDACTED] has continued to attempt to determine if these problems, and the over collection problem in particular, is recurring and has delayed reporting until such time as to reach a reporting consensus with the other effected offices and to ensure the problem does not

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NSL VIO-35968

~~SECRET~~

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To: Inspection From:
(U) ~~Re: (S)~~ 278-HQ-C1229736-VIO, 03/12/2007

appear again. OGC has been apprized of these situations since the time they were discovered and was included in all discussions.

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NSL VIO-35969

~~SECRET~~

b2
b7E

To: Inspection From:
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/12/2007

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

♦♦

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/16/2007

To: AD, Inspection Division
General Counsel

Attn: IIS

Attn: NSLP

Attn: ADC

From:

Contact:

Approved By:

Drafted By:

(U) **Case ID #:** ~~(S)~~ 078-HQ-C1229736-VIO
(S)
(S)

(Pending)
(Pending)
(Pending)

Title: (S) REPORT OF A
POTENTIAL IOB MATTER;

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b7C

Synopsis: (S) Communication to report a potential IOB Matter in the investigation.

(U) ~~(S)~~ ~~Derived From: G-3~~
~~Declassify On: X1~~

Details: (S) (S)

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b7D

DATE: 12-14-2007
CLASSIFIED BY 65179 DMH/KSR/JE
REASON: 1.4 (c)
DECLASSIFY ON: 12-14-2032

~~SECRET~~

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WHERE SHOWN OTHERWISE

NSL VIO-35977

~~SECRET~~

To: AD, Inspection Division From: [REDACTED]
Re: 278-HQ-C1229736-V10, 03/16/2007

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(S) ~~(U)~~ On June 6, 2006, [REDACTED] drafted a National Security Letter (NSL) request under Executive Order 12333 and Title 15, United States Code (U.S.C.), Section 1681u (Fair Credit Reporting Act) for [REDACTED] to provide the following information pertaining to the subject of the [REDACTED] investigation.

Personal Identifying Information

- a. Any names associated with this consumer,
- b. Any current or former addresses,
- c. Any current or former places of employment

Identity of Financial Institutions

Including names and addresses of any financial institutions (as defined by 12 U.S.C. §3401) for records that indicate this consumer maintains or has maintained an account.

(U) On July 20, 2006, [REDACTED] received from the [REDACTED] of the FBI a response to a [REDACTED] Credit Bureau NSL. The [REDACTED] information was reviewed by the former case agent [REDACTED] and placed in the file. Upon discovery by the current case agent, it appears that the **carrier provided information beyond the scope of the NSL, resulting in unintentional acquisition of data by the Federal Bureau of Investigation.** A full credit report was not received but information regarding balances and payment history was displayed.

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(U) SA [REDACTED] discussed this matter with SSA [REDACTED] and ADC [REDACTED]. The only agents that reviewed the [REDACTED] information were SA [REDACTED] SA [REDACTED] ADC [REDACTED]. The information in question was secured by the case agent, SA [REDACTED] and the information was not used in furtherance of the investigation. On March 16, 2007, SA [REDACTED] relinquished the information to ADC [REDACTED] in order for the information to be sequestered until a final determination is made concerning the report in question.

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Set Lead 1: (Info)

~~SECRET~~

~~SECRET~~

To: AD, Inspection Division From: [REDACTED]
Re: 278-HQ-C1229736-VIO, 03/16/2007

ASSISTANT DIRECTOR, INSPECTION DIVISION

AT WASHINGTON, DC

(U) IIS, Read and clear.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) OGC/NSLB, review this matter and provide guidance as to disposition of sequestered items.

b2
b7E

Set Lead 3: (Info)

[REDACTED]

AT [REDACTED]

(U) [REDACTED] Read and clear.

♦♦

~~SECRET~~

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 02/26/2007

To: [REDACTED]

Attn: SAC
CDS

Counterterrorism

Attn: ITOS 1, CONUS IV, Team 1b

Inspection

Attn: IIS

From: General Counsel
NSLE/CTLU 1

Contact: SSA [REDACTED]

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b7C

Approved By: [REDACTED]

Drafted By: [REDACTED]

(U) **Case ID #:** ~~(S)~~ 278-HQ-C1229736-VIO (Pending)

(U) **Title:** ~~(S)~~ INTELLIGENCE OVERSIGHT BOARD (IOB)
MATTER 2007-690

(U) **Synopsis:** ~~(S)~~ [REDACTED] requested that the Office of General Counsel (OGC) review a potential Intelligence Oversight Board (IOB) error and determine whether it is reportable to the IOB. It is the opinion of OGC that the above referenced matter need not be reported to the IOB. Our analysis follows. b2 b7E

(U) ~~(S)~~ **Derived From:** G-3
Declassify On: 02/26/2032

(U) **Reference:** ~~(S)~~ 278-HQ-C1229736-VIO Serial 2126
~~(S)~~ 278-[REDACTED]-C136372 Serial 122

Details: (S) [REDACTED]

Pursuant to this investigation, a National Security Letter (NSL) was issued in accordance with 18 U.S.C. §2709 seeking telephone bill billing records for [REDACTED] telephone number with requested dates [REDACTED] Unbeknownst to the

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b7C

DATE: 12-14-2007
CLASSIFIED BY: 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-14-2032

~~SECRET~~

ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

NSL VIO-35980

~~SECRET~~

To: [REDACTED] From: Office of the General Counsel
(U) ~~Re: [REDACTED]~~ 278-HQ-C1229736-V10, 02/16/2007

b2
b7E

(S) case agent, [REDACTED] telephone service was terminated [REDACTED]
[REDACTED] Upon reviewing the records supplied on 01/29/2007 the FBI learned that they contained not only information from when [REDACTED] was the subscriber to that telephone number but also records related to the individual who was subsequently issued that number after [REDACTED] account was terminated for non-payment.

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(U) ~~[REDACTED]~~ Upon discovery of the inadvertently obtained records, [REDACTED] segregated the records and contacted the telephone carrier, who advised the FBI to destroy the records, which was done.

(U) The President, by Executive Order 12334, dated 12/04/1981, established the President's Intelligence Oversight Board (PIOB). On 09/13/1993, by Executive Order 12863, the President renamed it the Intelligence Oversight Board (IOB) and established the Board as a standing committee of the President's Foreign Intelligence Advisory Board. Among its responsibilities, the IOB has been given authority to review the FBI's practices and procedures relating to foreign intelligence and foreign counterintelligence collection.

(U) Section 2.4 of Executive Order 12863 mandates that Inspectors General and General Counsel of the Intelligence Community components (in the FBI, the Assistant Director, Inspection Division (INSD), and the General Counsel, Office of the General Counsel (OGC), respectively) report to the IOB intelligence activities that they have reason to believe may be unlawful or contrary to Executive Order or Presidential Directive. This language has been interpreted to mandate the reporting of any violation of a provision of The Attorney General's Guidelines for FBI National Security Investigations and Foreign Intelligence Collection (NSIG), effective 10/31/2003, or other guidelines or regulations approved by the Attorney General in accordance with EO 12333, dated 12/04/1981, if such provision was designed to ensure the protection of individual rights. Violations of provisions that merely are administrative in nature and not deemed to have been designed to ensure the protection of individual rights are generally not reported to the IOB. The FBI Inspection Division is required, however, to maintain records of such administrative violations for three years so that the Counsel to the IOB may review them upon request. The determination as to whether a matter is "administrative in nature" must be made by OGC. Therefore, such administrative violations must be reported as potential IOB matters.

~~SECRET~~

~~SECRET~~

To: [REDACTED] From: Office of the General Counsel
(U) Re: ~~(S)~~ 278-HQ-C1229736-V10, 02/16/2007

b2
b7E

(U) ~~(S)~~ NSLs are a specific type of investigative tool that allows the FBI to obtain certain limited types of information without court intervention: (1) telephone and email communication records from telephone companies and internet service providers (Electronic Communications Privacy Act, 18 U.S.C. § 2709); (2) records of financial institutions (which is very broadly defined) (Right to Financial Privacy Act, 12 U.S.C. § 3414(a)(5)(A)); (3) a list of financial institutions and consumer identifying information from a credit reporting company (Fair Credit Reporting Act, 15 U.S.C. §§ 1681u(a) and (b)); and (4) full credit report in an international terrorism case (Fair Credit Reporting Act, 15 U.S.C. § 1681v). NSLs may be issued in conformity with statutory requirements, including 18 U.S.C. § 2709. NSIG, section V.12.

(U) ~~(S)~~ Here, during an authorized investigation, the FBI properly served an NSL on a telephone carrier requesting telephone toll billing records. In response, the FBI inadvertently received information regarding a subsequent subscriber which was not relevant to the investigation. The FBI identified the problem, and properly sequestered the inadvertently obtained records. The records were subsequently destroyed by the FBI upon the request of the telephone carrier.

(U) Based upon these facts, in accordance with the terms implementing the reporting requirements of Section 2.4 of EO 12863, it is our opinion that this error is not reportable to the IOB. A record of this decision should be maintained in the control file for future review by the Counsel to the IOB.

(U) Since the inadvertently obtained records were already destroyed by [REDACTED] upon the request of the telephone carrier, no action lead to [REDACTED] is needed.

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b7E

~~SECRET~~

~~SECRET~~

To: [REDACTED] From: Office of the General Counsel
(U) Re: ~~(S)~~ 278-HQ-C1229736-V10, 02/16/2007

LEAD(s): b2
b7E

Set Lead 1: (Info)

[REDACTED]

AT [REDACTED]

(U) For information.

Set Lead 2: (Info)

COUNTERTERRORISM

AT WASHINGTON, D.C.

(U) For information.

Set Lead 3: (Action)

INSPECTION

AT WASHINGTON, D.C.

(U) INSD should retain a record of the report of the potential IOB matter, as well as a copy of the OGC opinion concluding that IOB notification is not required for three years for possible review by the Counsel to the IOB.

cc: Ms. Thomas b6
[REDACTED] b7C
IOB Library

♦♦

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/22/2007

To: Inspection
General CounselAttn: IIS, Room 3041
Attn: NSLB, Room 7975

From: [REDACTED]

Contact: [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

(U) ~~Case ID #:~~ ~~(S)~~ 278-HQ-C1229736-VIOTitle: (U) REPORT OF POTENTIAL
INTELLIGENCE OVERSIGHT BOARD (IOB) MATTER(U) ~~Synopsis:~~ ~~(S)~~ To report possible IOB error.

(U)

~~Derived From : G-3~~~~Declassify On: 03/22/2017~~

Details:

(S) 1. [REDACTED]

(S) 2. [REDACTED]

(U) ~~(S)~~ 3. Possible IOB Error:

(S)

(S) 4.

(S) On August 26, 2004, SA [REDACTED] issued a National Security Letter (NSL) in case [REDACTED] serial #110, to [REDACTED] requesting the names and addresses only of financial institutions as defined in Title 12, U.S.C., Section 3401, at which [REDACTED] maintains or had maintained an account.

DATE: 12-14-2007
CLASSIFIED BY 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-14-2032

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

2345.WFD

NSL VIO-35984

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~~SECRET~~

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b6
b7C

To: Inspection From: [REDACTED]
(U) Re: ~~(S)~~ 278-HQ-C1229736-V10, 03/12/2007

(S) The NSL cited the request was in accordance with Title 15, U.S.C., Section 1681u(a). On September 17, 2004, [REDACTED] returned the results which included a full credit report on [REDACTED] case file [REDACTED]

(U) ~~(S)~~ SA [REDACTED] did not use the information to request any additional NSL's. He did not index any information from the credit report into the case file and there was no information uploaded into ACS or any other FBI electronic database. The credit report has been removed from the case file and sequestered by CDC [REDACTED]

b6
b7C

~~SECRET~~

2345.WED

2

NSL VIO-35985

~~SECRET~~

b2
b7E

To: Inspection From: [REDACTED]
(U) Re: ~~(S)~~ 278-HQ-CL229736-VIO, 03/22/2007

LEAD(s) :

Set Lead 1: (Action)

INSECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

♦♦

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/13/2007

To: Inspection
General Counsel

Attn: IIS, Room 11361

Attn: NSLB, Room 7975

From: [REDACTED]

Contact: TFO [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

(U) Case ID #: ~~(S)~~ 278-HQ-C1229736-VIO
~~(S)~~ 278-[REDACTED]-A67604
~~(S)~~ 278-[REDACTED]-A67604-VIO

b2
b7E
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b7C

Title: (U) TFO [REDACTED]
 SSA [REDACTED]
 INTELLIGENCE OVERSIGHT BOARD (IOB) ERROR

(U) ~~(S)~~ Synopsis: ~~(S)~~ To report possible IOB error.

(U) ~~(S)~~ ~~Derived From: FBI SCG G-3, Jan. 1997~~
~~Declassify On: 03/13/2032~~

Details:

- (S) 1. [REDACTED]
- (S) 2. [REDACTED]
- (U) ~~(S)~~ 3. Possible IOB Error:
 (S) [REDACTED]
- (U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).
 (S) [REDACTED]
- [REDACTED]

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DATE: 12-14-2007
 CLASSIFIED BY 65179 DMH/KSR/JB
 REASON: 1.4 (c)
 DECLASSIFY ON: 12-14-2032

~~SECRET~~

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED EXCEPT
 WHERE SHOWN OTHERWISE

NSL VIO-35987

~~SECRET~~

To: Inspection From: [REDACTED]
(U) Re: ~~(S)~~ 278-HQ-C1229736-V10, 03/13/2007

(S) The possible violation occurred in connection with results received from a communication carrier, [REDACTED] b1
[REDACTED] TFO [REDACTED] requested subscriber information and toll records b2
from [REDACTED] in a National Security Letter (NSL) dated b7E
02/09/2007. Writer received the results from [REDACTED] on 03/01/2007, b4
which included a printout listing the subscriber information for [REDACTED] b7D
[REDACTED] and a disk containing toll records. The printout provided b6
[REDACTED] confirmed that [REDACTED] is the subscriber for the b7C
requested number. Writer made a copy of the disk containing the toll
records and placed the original in a 1-A envelope.

(S) On 03/13/2007 a FBI employee who was tasked to upload the contents of the disk [REDACTED] noticed that the data on the disk contained toll records for [REDACTED] and not the requested number of [REDACTED]. It appears that [REDACTED] transposed two digits in the phone number and erroneously provided the incorrect toll records. Writer immediately sequestered the original disk from the 1-A envelope as well as the copy that was furnished to the employee to upload. None of the toll records on this disk were b1
uploaded into any FBI databases, [REDACTED] b2
[REDACTED] b7E

(U) ~~(S)~~ The original disk and the copy were placed into an envelope b6
and furnished to the [REDACTED] Chief Division Counsel [REDACTED] b7C
[REDACTED] on 03/13/2007. Since the subscriber information is pertinent b4
to this investigation, it will be maintained in the original 1-A b7D
envelope. Writer will serve [REDACTED] with the NSL dated 02/09/2007 once
again to obtain toll records for the requested cellular phone number.

~~SECRET~~

2

NSL VIO-35988

~~SECRET~~

To: Inspection From: [REDACTED]
(U) Re: [X] 278-HQ-C1229736-VIO, 03/13/2007

b2
b7E

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

♦♦

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/15/2007

To: Counterintelligence
Inspection
General Counsel

Attn: SSA [REDACTED]
CD-2A, Room 4133
Attn: IIS, Room 3041
Attn: NSLB, Room 7947

From: [REDACTED]

Contact: SSA [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

Case ID #: (S) [REDACTED] (Closed)
(U) ~~(S)~~ 278-HQ-C1229736-VIO (Pending)

Title: (S) [REDACTED]

POSSIBLE INTELLIGENCE
OVERSIGHT MATTER

(U) ~~Synopsis:~~ ~~(S)~~ To provide information regarding a possible Intelligence Oversight Board (IOB) violation involving captioned investigation.

(U) ~~(S)~~ ~~Derived From :~~ G-3
~~Declassify On:~~ 03/15/2032

(U) ~~Details:~~ ~~(S)~~ The following information pertains to a possible IOB violation involving captioned Chicago investigation:

1) SA [REDACTED] - former Case Agent
SSA [REDACTED] Supervisor

(S) ~~(2)~~ Foreign Counterintelligence [REDACTED]

(S) ~~(3)~~ [REDACTED]

DATE: 12-14-2007
CLASSIFIED BY 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-14-2032

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

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NSL VIO-35995

~~SECRET~~

To: Counterintelligence From: [REDACTED]
Re: (S) [REDACTED] (Closed) ~~(U)~~
278-HQ-C1209/36-VIO, 03/09/2007

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4) Non- U.S. Person.

(S) 5) [REDACTED] On
05/19/2004, SA [REDACTED] submitted an NSL to [REDACTED]
requesting header information pursuant to Title 15, U.S.C.
§§1681(u). The cover EC for the NSL incorrectly cited Title 15,
U.S.C. §§1691(v).

6) EXPLANATION:

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(S) [REDACTED] On
05/19/2004, the case agent submitted a FCRA NSL to [REDACTED]
requesting "the names and addresses of all financial institutions
(as defined by Title 12, U.S.C. Section 341) at which the below
named consumer maintains or had maintained an account." The NSL
cited Title 15, U.S.C. Section 1681(u).

(U) ~~(S)~~ The cover EC for the NSL incorrectly cited 15 U.S.C.,
section 1681v and specified that a "consumer credit report" was
being sought; however this citation and language did not appear
in the NSL which was provided to [REDACTED]

(U) ~~(S)~~ [REDACTED] responded to the request on or about
06/07/2004, providing a document captioned [REDACTED]
The document contained only consumer identifying information and
financial institution identifying information as authorized under
1681(u).

b4
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(U) ~~(S)~~ The discovery of the incorrect language in the cover EC
was made during a review of the file on 03/06/2007 and has been
sequestered with the Chief Division Counsel's Office, pending
resolution of the potential IOB and additional guidance from
National Security Law Branch.

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To: Counterintelligence From: [REDACTED]
Re: (S) [REDACTED] (Closed)
278-HQ-C1229736-VIO, 03/09/2007

~~(S)~~

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b7E

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) Request IIS to take appropriate action as necessary, in response to this potential IOB matter.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) Request NSLE to take appropriate action as necessary, in response to this potential IOB matter.

♦♦

~~SECRET~~

~~SECRET//20320308~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/09/2007

To: Inspection
General Counsel

Attn: IIS
Attn: National Security Law Branch
(NSLB)

From: [REDACTED]

Contact: SSA [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

Case ID #: (S) [REDACTED] (Closed)

(U) ~~(S)~~ 278-HQ-C1229736-VIO (Pending)

Title: (S) [REDACTED]

(U) ~~(S)~~ **Synopsis:** To provide information regarding a possible Intelligence Oversight Board (IOB) violation involving captioned investigation.

(U) ~~(S)~~ ~~Derived From : G-3~~
~~Declassify On: 03/09/2032~~

(S) ~~(S)~~ [REDACTED]

(U) ~~(S)~~ **Details:** The following information pertains to a possible IOB violation involving captioned [REDACTED] investigation:

- 1) SSA [REDACTED] - Case Agent former [REDACTED]
SSA [REDACTED] - [REDACTED] Supervisor

(S) ~~(S)~~ [REDACTED]

(S) ~~(S)~~ [REDACTED]

DATE: 12-14-2007

CLASSIFIED BY 65179 DMH/KSR/JB

REASON: 1.4 (c)

DECLASSIFY ON: 12-14-2032

~~SECRET//20320308~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-35998

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To: Inspection From: [REDACTED]
Re: (S) [REDACTED] 03/09/2007

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4) U.S. Person

(S)

5) [REDACTED]
[REDACTED]
[REDACTED]

In accordance with the NFIP Manual, Section 2-04, Summary Guidance and Application for Preliminary Investigations, a FCRA request was submitted on 02/04/2004 to [REDACTED] for header information pursuant to Title 15, U.S.C. §§1681(u).

6) EXPLANATION:

(S) [REDACTED]
[REDACTED]
[REDACTED]

On 02/04/2004, case agent submitted a §1681(u) FCRA NSL to [REDACTED] requesting "the names and addresses of all financial institutions (as defined in Title 12, U.S.C., Section 3401) at which the below-named consumer maintains or has maintained an account". [REDACTED] responded to the request on or about 03/02/2004, and provided a document captioned [REDACTED] February 25, 2004" for the subject.

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(U) ~~(S)~~ Case agent reviewed and summarized the information contained in the "consumer report" in an electronic communication dated 03/08/2004. The case was subsequently closed on 01/25/2005. The information contained in the [REDACTED] and the summarizing electronic communication was not used to further the investigation. The information received from [REDACTED] was not disseminated to anyone. The information provided by [REDACTED] regarding [REDACTED] was associated with a publically available web address:
[REDACTED]

(U) ~~(S)~~ Case agent was not aware at the time that the report provided by [REDACTED] was a credit report. The discovery was made during a subsequent review of the file. The [REDACTED] and the summarizing electronic communication were immediately removed from the captioned file, and sequestered with [REDACTED] Chief Division Counsel until the issuance of the IOB opinion by the National Security Law Branch (per NSB electronic communication dated 03/05/2007).

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~~SECRET//20320308~~

To: Inspection From: [REDACTED]
Re: (S) [REDACTED], 03/09/2007

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LEAD(s) :

Set Lead 1: (Discretionary)

INSPECTION

AT WASHINGTON, DC

(U) ~~(S)~~ Request IIS review the provided communication.

Set Lead 2: (Discretionary)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) Request NSLB to take appropriate action as necessary, in response to this potential IOB matter reported by the [REDACTED]

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~~SECRET//20320308~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/19/2007

To: Inspection
General Counsel

Attn: IIS, Room 11361

Attn: NSLB, Room 7975

From: [REDACTED]

Contact: SA [REDACTED]

Approved By: [REDACTED]

DATE: 12-14-2007

CLASSIFIED BY 65179 DMH/KSR/JB

REASON: 1.4 (c)

DECLASSIFY ON: 12-14-2032

Drafted By: [REDACTED]

(U) Case ID #: ~~(S)~~ 278-HQ-C1229736-VIO (Pending)
(S) [REDACTED] (Pending)ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

Title: (U) REPORT OF A POTENTIAL IOB MATTER

(U) Synopsis: ~~(S)~~ To report a potential IOB matter.(U) ~~(S)~~ ~~Derived From : G-3~~
~~Declassify On: 03/19/2032~~

Reference: 278-HQ-C1229736 Serial 2570

(U) Details: ~~(S)~~ On 03/19/2007, the writer discovered a potential Intelligence Oversight Board (IOB) matter when reviewing the results of a National Security Letter (NSL). Under the Fair Credit Reporting Act, Title 15, United States Code, Sections 1681u(a) and (b), the FBI can obtain a list of financial institutions and consumer identifying information from a credit reporting company. Under Section 1681v, however, the FBI can obtain a full credit report only in an international terrorism case. The [REDACTED] FBI issued an NSL under Sections 1681u(a) for lists of financial institutions with which the subject had business relationships. Instead of this limited report, the [REDACTED] FBI received a full credit report. This is a provider error. The writer was the case agent and the writer's supervisor was SSA [REDACTED]

(S) [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] NSLs dated 12/27/2006 were issued to [REDACTED]

[REDACTED] On 01/31/2007, [REDACTED] On 02/01/2007, [REDACTED] On 07/05/2007, [REDACTED]

[REDACTED] The responses from [REDACTED] were [REDACTED]

33975_07

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NSL VIO-36001

~~SECRET~~

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To: Inspection From: [REDACTED]
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/19/2007

forwarded to the writer. The response from [REDACTED] was delayed in the [REDACTED] FBI office and the writer did not receive the response until 03/19/2007. During a review on 03/19/2007, the response from [REDACTED] was found to be a full credit report. This full credit report was not used in the investigation and it was returned to [REDACTED] with a letter stating why it was returned. The letter also requested the proper information pursuant to Title 15, United States Code, Section 1681u(a).

This communication, consistent with the directives in the referenced communication, provides this information to report a potential IOB provider error for whatever action is deemed appropriate.

33975_07

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NSL VIO-36002

~~SECRET~~

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To: Inspection From: [REDACTED]
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/19/2007

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

♦♦

33975_07

~~SECRET~~

~~SECRET~~

U.S. Department of Justice



Federal Bureau of Investigation

In Reply, Please Refer to
File No.

March 19, 2007

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Dear [REDACTED]

This letter encloses one full credit report which was provided by [REDACTED] pursuant to a National Security Letter (NSL). This NSL was issued pursuant to Title 15, United States Code, Section 1681u(a), and requested the names and addresses of all financial institutions at which the consumer maintains accounts. Instead, a full credit report was provided, which is normally provided only in counterterrorism investigations under Title 15, United States Code, Section 1681v.

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Enclosed is the original credit report that was sent to the [REDACTED] FBI. Please send the requested information pursuant to Section 1681u(a), the names and the addresses of all financial institutions at which the consumer maintains accounts. The point of contact is Special Agent [REDACTED]

[REDACTED] Thank you, and please call with any questions.

DATE: 12-14-2007
CLASSIFIED BY: 65179 DMH/KSR/JE
REASON: 1.4 (c)
DECLASSIFY ON: 12-14-2032

Very truly yours,

[REDACTED]
Special Agent in Charge

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

By: [REDACTED]
Supervisory Special Agent

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(S) 1 - Addressee
2 - [REDACTED]

b7A

(3)

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NSL VIO-36004

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~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/15/2007

To: Inspection
General Counsel
Counterintelligence

Attn: IIS
Attn: NSLB, Unit Chief
Attn: CD-2D, Room 4844
SSA [REDACTED]

From: [REDACTED]

Contact: SA [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

Case ID #: (S) [REDACTED] (Closed)
(U) ~~(S)~~ 278-HQ-C1229736-VIO (Pending)

Title: (S) [REDACTED]

POSSIBLE INTELLIGENCE
OVERSIGHT MATTER

(U) ~~(S)~~ **Synopsis:** To provide information regarding a possible Intelligence Oversight Board (IOB) violation involving the captioned investigation.

(U) ~~(S)~~ ~~Derived From : G-3~~
~~Declassify On: 03/15/2032~~

(S) ~~(S)~~ [REDACTED]

[REDACTED]

(U) ~~(S)~~ **Details:** The following information pertains to a possible IOB violation involving the captioned [REDACTED] investigation:

- 1) SA [REDACTED] - former Case Agent
SSA [REDACTED] Supervisor

DATE: 12-14-2007
CLASSIFIED BY: 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-14-2032

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

NSL VIO-36006

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To: Inspection From: [REDACTED]
Re: (S) [REDACTED] 03/15/2007

(S) (S) [REDACTED]

(S) (S) [REDACTED]

4) U.S. Person

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(S) (S) [REDACTED]

On 06/02/2004, a FCRA request was submitted to [REDACTED] for header information pursuant to Title 15, U.S.C. §§1681(u).

6) EXPLANATION:

(S) [REDACTED]

(U) ~~(S)~~ On 06/02/2004, SA [REDACTED] submitted a FCRA NSL to [REDACTED] requesting "the names and addresses of all financial institutions with consumer identifying information, limited to names, address, former addresses, places of employment, or former places of employment at which the below-named consumer maintained or had maintained an account." The NSL and cover EC cited Title 15, U.S.C., Section 1681 (u.)

(S) SA [REDACTED] provided [REDACTED] name, date of birth, and address.

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(S) In addition, SA [REDACTED] inadvertently provided an incorrect Social Security Account number (SSAN) for [REDACTED] to [REDACTED]. The SSAN number SA [REDACTED] provided was that of a different [REDACTED] CT subject.

(S) On 06/22/2004, [REDACTED] responded to the FCRA request by providing a document captioned [REDACTED]. The case agent was not aware at the time of receipt that the response contained 1681(v) material.

(U) ~~(S)~~ The discovery of 1681(v) material in the [REDACTED] report was made during a subsequent review of the file on 03/06/2007. The report was removed from the captioned file, and sequestered with [REDACTED] Chief Division Counsel, pending resolution of the potential IOB and additional guidance from National Security Law Branch.

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(S) Along with the [REDACTED] [REDACTED] also provided summary results of a database search for the incorrect SSAN provided by the case agent. The results

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To: Inspection From: [REDACTED]
Re: (S) [REDACTED] 03/15/2007

were limited to the name, date of birth, SSAN, and spouse's name of the individual whose SSAN was provided to [REDACTED] in error. This information had already been obtained through the authorized FI of the other subject and was also available through public sources such as [REDACTED]

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(U) ~~SECRET~~ The information received as a result of providing the incorrect SSAN was also removed from the captioned file, and sequestered with [REDACTED] Chief Division Counsel, pending resolution of the potential IOB and additional guidance from National Security Law Branch.

~~SECRET~~

~~SECRET~~

To: Inspection From: [REDACTED]
Re: (S) [REDACTED] 03/15/2007

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LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U)~~(S)~~ IIS is requested to review the facts and
circumstances presented in this communication for determination
as to whether an IOB violation has occurred.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) Request NSLB to take appropriate action
as necessary, in response to this potential IOB matter.

♦♦

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~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/16/2007

To: Inspection

Attn: IIS, Room 11361

General Counsel

Attn: NSLB, Room 7975

From:

[REDACTED]

Counterintelligence

Contact: SA [REDACTED]

Approved By:

[REDACTED]

b2
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Drafted By:

(U) ~~(S)~~ Case ID #: ~~(S)~~ 278-HQ-C1229736-VIO

Title: (U) INTELLIGENCE OVERSIGHT BOARD (IOB) ERROR

(U) ~~(S)~~ Synopsis: ~~(S)~~ To report possible IOB error.(U) ~~(S)~~ ~~Derived From : FBI SCG G-3~~
~~Declassify On: 03/16/2032~~

Reference: (S) [REDACTED]

Details:

(S) 1.

[REDACTED]

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(S) 2.

[REDACTED]

(U) ~~(S)~~ 3. Possible IOB Error:(U) ~~(S)~~ The Attorney General's Guidelines Provision: Improper NSL Collection.

(S)

[REDACTED]

(U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).(U) ~~(S)~~ An NSL dated January 30, 2007 requesting the name, address, and length of service with respect to a [REDACTED] telephone number for the time period of [REDACTED] was issued to [REDACTED]b1
b2
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b7CDATE: 12-14-2007
CLASSIFIED BY: 65179 DMH/KSP/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-14-2032~~SECRET~~ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-36010

~~SECRET~~

To: Inspection From: [REDACTED]

(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/16/2007

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[REDACTED] On March 9, 2007, [REDACTED] Investigative Support Specialist (ISS) [REDACTED] received subscriber information for the specified time period of [REDACTED] for said [REDACTED] telephone number from August. Included with the subscriber information provided by August was a CD-ROM containing what [REDACTED] indicated were telephone calls [REDACTED] that were made from said [REDACTED] telephone number for the time period of [REDACTED] [REDACTED] Division presumes this to be toll records with no content but has not reviewed the CD-ROM itself in view of its nature as an over reporting.

(U) ~~(S)~~ On March 16, 2007, [REDACTED] received a package from [REDACTED] containing two copies of an EC drafted by ISS [REDACTED] a copy of the January 30, 2007 NSL, and a 1-A envelope containing a CD-ROM. The CD-ROM contains [REDACTED] telephone subscriber information and toll records for said [REDACTED] telephone number from [REDACTED] [REDACTED] which was not requested in the NSL dated January 30, 2007. Case Agent, [REDACTED] immediately notified Supervisory Special Agent (SSA) [REDACTED] of the discrepancy.

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(U) ~~(S)~~ SSA [REDACTED] advised writer to draft an NSL requesting toll records for said [REDACTED] telephone number for the time period of July 1, 2006 to present. The CD-ROM has been sequestered and will be turned over to [REDACTED] Chief Division Counsel [REDACTED]
[REDACTED]

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NSL VIO-36011

~~SECRET~~

(U) To: Inspection From:
Re: ~~(S)~~ 273-HQ-C1229736-VIO, 03/16/2007

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LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

♦♦

~~SECRET~~

~~SECRET//20320316~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/16/2007

To: General Counsel
Inspection

[REDACTED]

Attn: CDC

[REDACTED]

From:

[REDACTED]

Contact:

[REDACTED]

Approved By:

[REDACTED]

Drafted By:

Case ID #: (U) 278-HQ-C1229736-VIO (Pending)
(S) [REDACTED] (Closed)

Title: (U) INTELLIGENCE OVERSIGHT BOARD MATTER

(S)

[REDACTED]

Synopsis: (U) To provide information with regards to possible Intelligence Oversight Board (IOB) violation.

(U)

~~Derived From : G-3~~
~~Declassify On: 20320316~~

Details: (U) On 03/09/2007, DOJ's Office of the Inspector General released a report on the FBI's use of National Security Letters (NSL). Although the OIG found no deliberate or intentional misuse of authorities, the OIG review identified several areas of inadequate auditing and oversight of these vital investigative tools, as well as inappropriate processes.

(U) On 03/05/2007, [REDACTED] conducted an internal audit in light of the previously mentioned OIG report. The purpose of the audit was to make sure that there were no violations with regard to NSL's. The audit began on 03/05/2007

DATE: 12-14-2007

CLASSIFIED BY 65179 DMH/KSR/JB

REASON: 1.4 (c)

DECLASSIFY ON: 12-14-2032

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-36013

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~~SECRET//20320316~~

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To: General Counsel From: [REDACTED]
Re: (U) 278-HQ-C1229736-VIO, 03/16/2007

(S) and ended on 03/08/2007. The audit conducted revealed a possible
IOE violation for case number [REDACTED]

(S) [REDACTED]

[REDACTED]

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(S) [REDACTED]

[REDACTED]

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(S) [REDACTED]

[REDACTED]

(S) [REDACTED]

[REDACTED]

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(U) During the course of the investigation, Special
Agent [REDACTED] filed and serialized two credit reports

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To: General Counsel From: [REDACTED]
Re: (U) 278-HQ-C1229736-VIO, 03/16/2007

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to captioned case (see serials 332 and 333), however, there is no record of NSL's requesting them.

(S) Serial 332, is a full credit report dated May 16, 2002 and it was run [REDACTED]. The report provided financial information of [REDACTED].

(S) Serial 333, is a full credit report dated May 17, 2002 and it was run [REDACTED]. The report provided financial information of [REDACTED].

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(U) During the course of the internal audit and as soon as the discrepancy arose, ASAC [REDACTED] CDC [REDACTED] and SSA [REDACTED] were advised of the possible IOF violation.

(U) The documentation has been placed in a sealed envelope and placed in the CDC's safe pending further instructions from Inspection Division and NSLB.

~~SECRET//20320316~~

~~SECRET//20320316~~

To: General Counsel From:
Re: (U) 278-HQ-C1229736-VIO, 03/16/2007

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LEAD(s) :

Set Lead 1: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) Whatever action deemed appropriate.

Set Lead 2: (Action)

INSPECTION

AT WASHINGTON, DC

(U) ~~(S)~~ Whatever action deemed appropriate.

♦♦

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~~SECRET~~ / ~~20320315~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/15/2007

To: General Counsel
Inspection

[REDACTED]

Attn: CDC

[REDACTED]

From:

[REDACTED]

Contact:

[REDACTED]

Approved By:

[REDACTED]

Drafted By:

Case ID #: (U) 278-HQ-C1229736-VIO (Pending)

(S) [REDACTED] (U) [REDACTED] (Closed)

Title: (U) INTELLIGENCE OVERSIGHT BOARD MATTER

(S)

[REDACTED]

Synopsis: (U) To provide information with regards to possible Intelligence Oversight Board (IOB) violation.

(U)

~~Derived From : G-3~~

~~Declassify On: 20320315~~

Details: (U) On 03/09/2007, DOJ's Office of the Inspector General released a report on the FBI's use of National Security Letters (NSL). Although the OIG found no deliberate or intentional misuse of authorities, the OIG review identified several areas of inadequate auditing and oversight of these vital investigative tools, as well as inappropriate processes.

(U) On 03/05/2007, [REDACTED] conducted an internal audit in light of the previously mentioned OIG report. The purpose of the audit was to make sure that there were no violations with regard to NSL's. The audit began on 03/05/2007

DATE: 12-17-2007

CLASSIFIED BY: 65179 DMH/KSR/JB

REASON: 1.4 (c)

DECLASSIFY ON: 12-17-2032

~~SECRET~~ / ~~20320315~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

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NSL VIO-36017

~~SECRET//20320315~~

To: General Counsel From: [REDACTED]
Re: (U) 278-HQ-C1229736-VIO, 03/15/2007

and ended on 03/08/2007. The audit conducted revealed a possible
(S) ~~IOE violation for case number~~ [REDACTED]

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(S) [REDACTED]

[REDACTED]

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(U) During the course of the investigation, Special Agent [REDACTED] prepared and served NSL's to [REDACTED] (see serials 21 for NSL and 22 for EC) and to [REDACTED] (see serials 23 for NSL and 24 for EC). Both NSL's are dated 05/01/2002.

(S) The NSL addressed to [REDACTED] requested the names and addresses of all financial institutions at which [REDACTED] maintains or has maintained an account. The NSL was sent to [REDACTED] Office via lead to be served by the [REDACTED]. A recent analysis of the case indicated that the lead was discontinued on 03/04/2004. It is unknown whether the NSL was ever served by [REDACTED]. There is no communication from [REDACTED] indicating that the NSL was served, and the results were never filed in the case.

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(S) The NSL addressed to [REDACTED] requested all financial records pertaining to [REDACTED]. The NSL was served on 05/01/2002 and the results were filed in a 1A subfile, serial 12.

(S) During the recent audit of all files, it was discovered that in addition to the above mentioned NSL's, serial 48 dated 05/16/2002, is a full credit report of [REDACTED]. However, there is neither an NSL requesting the credit report nor a hard copy of the full credit report filed in the case. There was an additional full credit report filed under serial number 54 dated 05/17/2002. This full credit report from [REDACTED] requested information on [REDACTED]. There is neither an NSL in captioned case file requesting

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To: General Counsel From: [REDACTED]
Re: (U) 278-HQ-C1229736-VIO, 03/15/2007

(S) ~~a full credit report for~~ [REDACTED] nor is he a subject of captioned case. The full credit report was run [REDACTED] on 05/17/2002.

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(U) During the course of the internal audit and as soon as the discrepancy arose, ASAC [REDACTED] CDC [REDACTED] and SSA [REDACTED] were advised of the possible IOB violation.

(U) The documentation has been placed in a sealed envelope and placed in the CDC's safe pending further instructions from Inspection Division and NSLB.

~~SECRET//20320315~~

~~SECRET//20320315~~

To: General Counsel From:
Re: (U) 278-HQ-C1229736-VIO, 03/15/2007

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LEAD(s) :

Set Lead 1: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) Whatever action deemed appropriate.

Set Lead 2: (Action)

INSPECTION

AT WASHINGTON, DC

(U) ~~(S)~~ Whatever action deemed appropriate.

♦♦

~~SECRET//20320315~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/13/2007

To: Inspection
General Counsel

Attn: IIS, Room 11361

Attn: NSLE, Room 7975

From: [REDACTED]

Contact: [REDACTED]

Approved By: [REDACTED]

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Drafted By: [REDACTED]

(U) ~~Case ID #:~~ ~~(S)~~ 278-HQ-C1229736-VTO

(S) [REDACTED]

Title: (U) REPORT OF A POTENTIAL
IOB MATTER (PIOB)

(U) IOB MATTERS

(U) ~~Synopsis:~~ ~~(S)~~ To report possible IOB matter. A carrier provided information beyond the scope of the information requested in an NSL, resulting in the unintentional acquisition of data.b1
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(U)

~~(S)~~~~Derived From : G-3~~
~~Declassify On: 03/13/2032~~

Details:

(S) 1. [REDACTED]

(S) 2. [REDACTED]

(U) ~~(S)~~ 3. Possible IOB Error: A telecommunications carrier provided information beyond the scope of an NSL request resulting in the unintentional acquisition of data.

(U)

~~(S)~~

4. Description of IOB Error (including any reporting delays).

DATE: 12-17-2007
CLASSIFIED BY 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-17-2032~~SECRET~~ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-36021

~~SECRET~~

To: Inspection From: [REDACTED]
(U) Re: ~~(S)~~ 278-HQ-C1229736-V10, 03/13/2007

(S) On 09/22/2006, an approved National Security Letter, (NSL), drafted by SA [REDACTED] was submitted to [REDACTED] [REDACTED] requesting the name, address, length of service, and local and long distance toll billing records associated with [REDACTED] for the date [REDACTED]

On or about 11/15/2006, [REDACTED]

(S) [REDACTED] returned subscriber information for [REDACTED] in a hard-copy format via Fedex. [REDACTED]

[REDACTED] provided local and long distance toll billing records for [REDACTED] by redacting the local and long distance toll billing records for [REDACTED] with a black marker. Records for [REDACTED] were not requested on the submitted NSL; the date requested on the NSL was [REDACTED]. Consequently, there has been an unintentional acquisition of data.

Case agent Detective [REDACTED] and co-case agent SA [REDACTED] became aware of the possible IOB error on 03/06/2007, during a squad meeting with ASAC [REDACTED]. During the meeting, ASAC [REDACTED] discussed potential IOB matters relating to NSLs, i.e., a carrier providing information beyond the scope of an NSL resulting in the unintentional acquisition of data. As a result, the case file was reviewed and a possible IOB violation was discovered. Upon identification of the possible IOB error, SSA [REDACTED] was notified on 03/06/2007.

The aforementioned records were not processed into [REDACTED] [REDACTED] or any other FBI database.

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NSL VIO-36022

~~SECRET~~

To: Inspection From:
(U) ~~Re: (S)~~ 278-HQ-C1229736-VIO, 03/13/2007

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LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

♦♦

~~SECRET~~

~~SECRET~~ // ~~20320308~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/08/2007

To: Inspection
General Counsel

Attn: IIS
Attn: National Security Law Branch
(NSLB)

From: [REDACTED]

Contact: SA [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

Case ID #: (S) [REDACTED] (Pending)
(U) ~~(S)~~ 278-HQ-C1229736-VIO (Pending)

Title: (S) [REDACTED]

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(U) ~~(S)~~ **Synopsis:** To provide information regarding a possible Intelligence Oversight Board (IOB) violation involving captioned investigation.

(U) ~~(S)~~ **Derived From:** G-3
Declassify On: 03/08/2032

(S) ~~(S)~~ [REDACTED]

(U) ~~(S)~~ **Details:** The following information pertains to a possible IOB violation involving captioned [REDACTED] investigation:

1) SA [REDACTED] (retired) - Case Agent
SSA [REDACTED] - former [REDACTED] Supervisor

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(S) ~~(S)~~ [REDACTED]
[REDACTED]

DATE: 12-17-2007
CLASSIFIED BY: 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-17-2032

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-36024

~~SECRET~~/20328308

To: Inspection From: [REDACTED]
Re: (S) [REDACTED], 03/08/2007

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(S) 3) [REDACTED]

4) U.S. Person

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(S) 5) [REDACTED] In accordance with the NFIP Manual, Section C-04, Summary Guidance and Application for Full Investigations, a FOIA request was submitted on 02/07/2002 to [REDACTED] for header information pursuant to Title 15, U.S.C. §1681(u).

6) EXPLANATION:

(S) [REDACTED]
[REDACTED] On 02/07/2002, the previous case agent submitted a §1681(u) FOIA NSL to [REDACTED] requesting "the names and addresses of all financial institutions with which this individual has or has had accounts as well as identifying information with regard to the individual identified below, to include names, addresses, former addresses, places of employment and former places of employment". [REDACTED] responded to the request on or about 02/27/2002, and provided a document captioned [REDACTED] for the subject.

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(S) The information provided by [REDACTED] was not summarized, however, it can be inferred that the information was reviewed. In six later communications, the information was referred to with the following statement: "Review of credit and [REDACTED] indicate that [REDACTED] are poor credit risks." The six documents that referred to the information were the Annual LHM and cover EC dated 12/06/2002, an EC dated 01/23/2003, an EC dated 04/03/2003, and the Annual LHM and cover EC dated 12/17/2003. The information contained in the [REDACTED] and the summarizing electronic communication was not used to further the investigation. The [REDACTED] received from [REDACTED] was not disseminated.

(U) ~~(S)~~ The discovery was made during a subsequent review of the file. The [REDACTED] and six documents referring to the information provided by [REDACTED] were immediately removed from the captioned file, and sequestered with [REDACTED] Chief Division Counsel until the issuance of the IOE opinion by the National Security Law Branch (per NSB electronic communication dated 03/05/2007).

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To: Inspection From: [REDACTED]
Re: (S) [REDACTED], 03/08/2007

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LEAD(s) :

Set Lead 1: (Discretionary)

INSPECTION

AT WASHINGTON, DC

(U)~~(S)~~ Request IIS review the provided communication.

Set Lead 2: (Discretionary)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) Request NSLE to take appropriate action as necessary, in response to this potential IOB matter reported by the [REDACTED]

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~~SECRET~~ // ~~20326308~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/21/2007

To: Inspection
General Counsel

Attn: IIS
Attn: NSLB

From: [REDACTED]

Contact: CDC [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

(U) ~~Case ID #:~~ (S) 278-HQ-C1229736-VIO (Pending)

Title: (U) REPORT OF POTENTIAL IOB MATTER

Synopsis: (U) To report potential IOB matter(s).

(U) ~~Derived From:~~ G-3
~~Declassify On:~~ 03/21/2032

(U) ~~Details:~~ (S) The following information is being reported pursuant to Intelligence Oversight Board reporting requirements that potential IOB matters be brought to the attention of OGC and Inspection Division.

(S) [REDACTED]
[REDACTED]
[REDACTED]; assigned to SA [REDACTED] SSA [REDACTED]
[REDACTED]

(S) Subject of investigation is identified as [REDACTED]
[REDACTED]

(U) ~~A~~ National Security Letter (NSL), was issued to [REDACTED] requesting names and addresses of all financial institutions at which the subject had maintained an account (cover EC dated 01/10/2005, serial 21). The NSL cited incorrect legal authority. The NSL should have been issued pursuant to the Fair Credit Reporting Act (FCRA) 15 USC 1681u(a), however, the legal authority cited was 18 USC 2709 (Counterintelligence access

DATE: 12-17-2007
CLASSIFIED BY 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-17-2032

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

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NSL VIO-36027

~~SECRET~~

To: Inspection From: [REDACTED]
(U) ~~Re: (S)~~ 278-HQ-C1229736-VIO, 03/11/2007

to telephone toll and transactional records). For purposes of mandatory Congressional reporting, the cover EC documented the issuance of an FCRA NSL, which accurately reflected the requested information and the results delivered pursuant to the NSL. In its return, on or about 02/08/2005 via [REDACTED] provided a full credit report on subject (EC dated 02/08/2005, serial 23). [REDACTED] providing information beyond the scope of the NSL resulted in an unintentional acquisition of data.

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(U) ~~(S)~~ The unintentionally acquired information was not utilized in the investigation, and thus the potential IOB was not recognized at the time. The discovery of the "over-collection" of data occurred on March 9, 2007, during the course of reviewing files pursuant to an impending Inspection Division audit of case files containing NSLs and related materials. Upon its discovery, the 1A Envelope containing the [REDACTED] full credit report was removed from the file and delivered to [REDACTED] CDC for sequestration until receipt of further guidance from OGC. This matter is being reported within the mandatory 14-day reporting period.

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~~SECRET~~

To: Inspection From: [REDACTED]
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/21/2007

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b7E

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

♦♦

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/21/2007

To: Inspection
General Counsel

Attn: IIS
Attn: NSLB

From: [REDACTED]

Contact: CDC [REDACTED]

Approved By: [REDACTED]
Drafted By: [REDACTED]

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(U) ~~Case ID #:~~ ~~(S)~~ 278-HQ-C1229736-VIO (Pending)

Title: (U) REPORT OF POTENTIAL IOB MATTER

Synopsis: (U) Potential IOB reporting of carrier [REDACTED] error in regard to a National Security Letter (NSL).

(U) ~~(S)~~ ~~Derived From :~~ ~~G-3~~
~~Declassify On:~~ ~~03/21/2032~~

(U) ~~Details:~~ ~~(S)~~ The following information is being reported pursuant to Intelligence Oversight Board reporting requirements that potential IOB matters be brought to the attention of OGC and Inspection Division.

b1
b4
b7D
b6
b7C
b2
b7E

(S) [REDACTED]

[REDACTED] assigned to SA [REDACTED]
Acting SSA [REDACTED]

(S) [REDACTED]

(U) ~~(S)~~ A Fair Credit Reporting Act (FCRA) National Security Letter (NSL), under 15 USC 1681u(a), was appropriately issued to [REDACTED] requesting names and addresses of all financial institutions at which the subject had maintained an account (cover EC dated 05/12/2004, serial 12). In its return, on or about 07/13/2004 via [REDACTED] provided a full

b4
b7D
b2
b7E

DATE: 12-17-2007
CLASSIFIED BY 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-17-2032

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-36030

~~SECRET~~

To: Inspection From: [REDACTED]
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/21/2007

credit report on subject (cover EC dated 07/13/2004, serial 16).
[REDACTED] providing information beyond the scope of the NSL
resulted in an unintentional acquisition of data.

(U) ~~(S)~~ The unintentionally acquired information was not
utilized in the investigation, and thus the potential IOB was not
recognized at the time. The discovery of the "over-collection"
of data occurred on March 9, 2007, during the course of reviewing
files pursuant to an impending Inspection Division audit of case
files containing NSLs and related materials. Upon its discovery,
the 1A Envelope containing the [REDACTED] full credit report was
removed from the file and delivered to [REDACTED] CDC for
sequestration until receipt of further guidance from OGC. This
matter is being reported within the mandatory 14-day reporting
period.

b4
b7D
b2
b7E

~~SECRET~~

~~SECRET~~

To: Inspection From:
(U) ~~Re: [X]~~ 278-HQ-C1229736-VIO, 03/21/2007

b2
b7E

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

♦♦

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/21/2007

To: Inspection
General Counsel

Attn: IIS
Attn: NSLE

From: [REDACTED]

Contact: CDC [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

b2
b7E
b6
b7C

(U) ~~Case ID #:~~ ~~(S)~~ 278-HQ-C1229736-VIO (Pending)

Title: (U) REPORT OF POTENTIAL IOB MATTER

Synopsis: (U) To report potential IOB matter(s).

(U) ~~(S)~~ ~~Derived From : G-3~~
~~Declassify On: 03/21/2032~~

(U) ~~Details:~~ ~~(S)~~ The following information is being reported pursuant to Intelligence Oversight Board reporting requirements that potential IOB matters be brought to the attention of OGC and Inspection Division.

(S) [REDACTED]

b1
b4
b7D
b6
b7C
b2
b7E

[REDACTED]

assigned to SA [REDACTED]

[REDACTED] Acting SSA [REDACTED]

(S) Subject of investigation is identified as [REDACTED]

(U) ~~(S)~~ A Fair Credit Reporting Act (FCRA) National Security Letter (NSL), under 15 USC 1681u, was issued to [REDACTED] requesting names and addresses of all financial institutions at which the subject had maintained an account (cover EC dated [REDACTED])

DATE: 12-17-2007
CLASSIFIED BY 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-17-2032

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-36033

~~SECRET~~

To: Inspection From: [REDACTED]
(U) ~~Re: (S)~~ 278-HQ-C1229736-VIO, 03/11/2007

05/18/2004, serial 20). The NSL should have been issued pursuant to 15 USC 1681u(a) in that it sought a listing of all financial institutions, however, the NSL cited as authority 15 USC 1681u(b), which provides for the furnishing of consumer identifying information. For purposes of Congressional reporting requirements, the cover EC correctly identified the issuance of an ECRA NSL. In its return, received on or about 07/23/2004 via [REDACTED] provided a full credit report on subject (cover EC dated 07/23/2004, serial 26). [REDACTED] providing information beyond the scope of the NSL resulted in an unintentional acquisition of data.

b2
b7E
b4
b7D

(U) ~~(S)~~ The unintentionally acquired information was not utilized in the investigation, and thus the potential IOB was not recognized at the time. The discovery of the "over-collection" of data occurred on March 9, 2007, during the course of reviewing files pursuant to an impending Inspection Division audit of case files containing NSLs and related materials. Upon its discovery, the 1A Envelope containing the [REDACTED] full credit report was removed from the file and delivered to [REDACTED] CDC for sequestration until receipt of further guidance from OGC. This matter is being reported within the mandatory 14-day reporting period.

b2
b7E
b4
b7D

~~SECRET~~

~~SECRET~~

To: Inspection From:
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/21/2007

b2
b7E

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

♦♦

~~SECRET~~

SECRET
FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/21/2007

To: Inspection
General Counsel

Attn: IIS, Room 11361

Attn: NSLB, Room 7975

From: [REDACTED]

Contact: [REDACTED]

b6
b7C
b2
b7E

Approved By: [REDACTED]

Drafted By: [REDACTED]

(U) ~~Case ID #:~~ ~~(S)~~ 278-HQ-C1229736-V10

Title: (U) REPORT OF POTENTIAL IOB MATTER

(U) ~~Synopsis:~~ ~~(S)~~ To report possible IOB error.(U) ~~(S)~~ ~~Derived From: G-3~~
~~Declassify On: X1~~

Details:

(S) 1. [REDACTED]

[REDACTED] The case Agent
was [REDACTED] (retired). The Supervisor was SSA
[REDACTED]

(S) 2. [REDACTED]

b1
b2
b7E
b6
b7C(U) ~~(S)~~ 3. Possible IOB Error:

(S) [REDACTED]

(S) [REDACTED]

(S) [REDACTED]

(U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).(U) ~~(S)~~ As a result of an audit of NSLs issued by the [REDACTED]
Division, it was discovered that an EC requesting an NSL, dated
11/24/2003, was not reviewed by the CDC or SSA, did not state the
predication, and did not cite the relevant statutory authority for the
NSL. However, it should be noted that the signed NSL did cite the
relevant statutory authority for requesting telephone subscriberb2
b7E

DATE: 12-17-2007

CLASSIFIED BY: 65179 DMH/KSR/JB

REASON: 1.4 (c)

DECLASSIFY ON: 12-17-2032

~~SECRET~~ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-36036

~~SECRET~~

To: Inspection From: [REDACTED]
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/21/2007

b1
b2
b7E
b6
b7C

information and toll records. Out of an abundance of caution, the [REDACTED] CDC is reporting the failure to properly cite the statutory authority in the EC as a potential IOB violation. [REDACTED]
(S) [REDACTED]

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

♦♦

~~SECRET~~

2

NSL VIO-36037

~~SECRET~~
FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/21/2007

To: Inspection
General Counsel

Attn: IIS, Room 11361

Attn: NSLB, Room 7975

From: [REDACTED]

Contact: [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

b2
b7E
b6
b7C(U) Case ID #: ~~(S)~~ 278-HQ-C1229736-V10

Title: (U) REPORT OF A POTENTIAL IOB MATTER

(U) Synopsis: ~~(S)~~ To report possible IOB error.(U) ~~(S)~~ ~~Derived From: G-3~~
~~Declassify On: X1~~

Details:

(S) 1. [REDACTED]

[REDACTED] The case Agent
was [REDACTED] (retired). The Supervisor was SSA
[REDACTED]

(S) 2. [REDACTED]

(U) ~~(S)~~ 3. Possible IOB Error:

(S) [REDACTED]

(S) [REDACTED]

(S) [REDACTED]

b1
b2
b7E
b6
b7C(U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).(U) ~~(S)~~ As a result of an audit of NSLs issued by the [REDACTED] b2
Division, it was discovered that [REDACTED] may have "over collected" b7E
financial records relating to the subject. Specifically, the NSL,
dated 5/19/2004, requested "all financial records..." pertaining to
the subject. In the following paragraph the NSL stated, "Records areDATE: 12-17-2007
CLASSIFIED BY 65179 DMH/KSR/JB
REASON: 1.4-(c)
DECLASSIFY ON: 12-17-2032~~SECRET~~ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-36038

~~SECRET~~

To: Inspection From: [REDACTED]
(U) ~~Re: (S)~~ 278-HQ-C1229736-VIO, 03/11/2007

(S) requested for the period from [REDACTED]
[REDACTED]

(U) ~~(S)~~ The recipient financial institution provided canceled checks from the subject. While all the canceled checks provided constituted "all financial records" within the recipient's possession pertaining to the subject, some of the canceled checks pre-date the period requested, [REDACTED] is reporting the over-collection as a possible IOE matter.

b1
b2
b7E
b6
b7C

LEAD(s):

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

♦♦

~~SECRET~~

2

NSL VIO-36039

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/14/2007

b6
b7C
b2
b7E

To: Inspection
General Counsel

Attn: IIS
Attn: NSLB
Attn: CDC

From:

Contact: SA

Approved By:

Drafted By:

Case ID #: (U) 278-HQ-C1229736-VIO (Pending)

Title: (U) REPORT OF A POTENTIAL IOB MATTER

Synopsis: (U) EC provides details regarding a potential IOB matter.

(U) ~~(S)~~ ~~Derived From : G-3~~
~~Declassify On: 03/14/2017~~

b1
b7A
b2
b7E
b6
b7C

Reference: (U) EC dated 11/16/2006, file 278-HQ-C1229736.

(U) ~~(S)~~ **Details:** On 03/13/2007, SA [redacted] informed his Supervisor, SSA [redacted] of potential IOB violations related to the below three [redacted] counterintelligence investigations:

(S)

(S)

(S)

DATE: 12-17-2007
CLASSIFIED BY 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-17-2032

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-36040

~~SECRET~~

To: Inspection From: [REDACTED]
Re: (U) 278-HQ-C1229736-V10, 03/14/2007

b2
b7E

(S) [REDACTED]

(S) [REDACTED]

The case was initiated under the Attorney General Guidelines
Section II.B.1. [REDACTED]

b1
b7A
b6
b7C
b4
b7D
b2
b7E

(U) ~~(S)~~ The potential violation occurred when a National
Security Letter (NSL), dated 10/23/2006, was sent to [REDACTED]
[REDACTED]
[REDACTED] The NSL was issued pursuant to
Title 15, U.S.C., Section 1681u. The NSL specifically requested
the names and addresses of all financial institutions where
[REDACTED] records indicate the consumer maintains or maintained an
account.

(U) ~~(S)~~ In response to the NSL, [REDACTED] provided the
delivering office, [REDACTED] credit report dated 02/08/2007.
On 02/08/2007, [REDACTED] provided the case agent an
electronic communication (EC) enclosing the [REDACTED] NSL results
in a 1A envelope. When the credit report was received on or
about 02/10/2007, the case agent, SA [REDACTED] did not
realize it was a full credit report and filed it. To date, no
additional leads, NSLs, or other investigative action was
conducted based on the information provided in the credit report.

b1
b7A
b4
b7D
b6
b7C
b2
b7E

(S) [REDACTED]

[REDACTED] The case was initiated
under the Attorney General Guidelines Section II.B.1.

(U) ~~(S)~~ The potential violation occurred when a National
Security Letter (NSL), dated 10/10/2006, was sent to [REDACTED]

~~SECRET~~

~~SECRET~~

To: Inspection From: [REDACTED]
Re: (U) 278-HQ-C1229736-VIO, 03/14/2007

b2
b7E

Title 15, U.S.C., Section 1681u. The NSL specifically requested the names and addresses of all financial institutions where Equifax records indicate the consumer maintains or maintained an account.

(U) ~~(S)~~ In response to the NSL, [REDACTED] provided the delivering office, [REDACTED] credit report. On 12/08/2006, [REDACTED] provided the case agent an electronic communication (EC) enclosing the [REDACTED] NSL results in a 1A envelope. When the credit report was received on or about 12/15/2006, the case agent, SA [REDACTED] did not realize it was a full credit report and filed it. To date, no additional leads, NSLs, or other investigative action was conducted based on the information provided in the credit report.

b1
b4
b7D
b6
b7C
b2
b7E

(S) [REDACTED]

[REDACTED]
[REDACTED] The case was initiated under the Attorney General Guidelines Section II.B.1 [REDACTED]
[REDACTED]

(U) ~~(S)~~ The potential violation occurred when a National Security Letter (NSL), dated 11/01/2006, was sent to [REDACTED]
[REDACTED]

[REDACTED] The NSL was issued pursuant to Title 15, U.S.C., Section 1681u. The NSL specifically requested the names and addresses of all financial institutions where [REDACTED] records indicate the consumer maintains or maintained an account.

b6
b7C
b4
b7D
b2
b7E

(U) ~~(S)~~ In response to the NSL, [REDACTED] provided the delivering office, [REDACTED] credit report. On 12/07/2006, [REDACTED] provided the case agent an electronic communication (EC) enclosing the [REDACTED] NSL results in a 1A envelope. When the credit report was received on or about 12/15/2006, the case agent, SA [REDACTED] did not realize it was a full credit report and filed it. To date, no additional leads, NSLs, or other investigative action was conducted based on the information provided in the credit report.

(U) ~~(S)~~ On 3/08/2007 [REDACTED] Counterintelligence Division was notified by FBIHQ Office of General Counsel of the possibility that full credit reports may have been provided in response to non-Counterterrorism NSLs. Subsequently, SA [REDACTED] checked his current case files and noticed three investigations containing

~~SECRET~~

~~SECRET~~

To: Inspection From: [REDACTED]
Re: (U) 278-HQ-C1229736-VIO, 03/14/2007

ECs enclosing an [REDACTED] credit report. SA [REDACTED] alerted his Supervisor, SSA [REDACTED] of the [REDACTED] credit reports. The reports were immediately provided to AOC [REDACTED] where they were sequestered pending a determination from NSLB as to whether this matter constitutes an IOE violation.

b6
b7C
b2
b7E

~~SECRET~~

~~SECRET~~

To: Inspection From: [REDACTED]
Re: (U) 278-HQ-C1229736-VIO, 03/14/2007

b2
b7E

LEAD(s) :

Set Lead 1: (Info)

INSPECTION

AT ISS

(U) For information.

Set Lead 2: (Info)

GENERAL COUNSEL

AT NSLB

(U) General Counsel is requested to review this matter and provide guidance as to the disposition of the sequestered materials.

♦♦

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/27/2007

To: Inspection
General CounselAttn: IIS, Room 11361
Attn: NSLB, Room 7975

From: [REDACTED]

Contact: SA [REDACTED]

Approved By: [REDACTED]

b6
b7C
b2
b7E

Drafted By: [REDACTED]

(U) ~~(S)~~ Case ID #: ~~(S)~~ 278-HQ-C1229736-VIO

Title: (U) REPORT OF POTENTIAL IOB MATTER

(U) ~~(S)~~ Synopsis: ~~(S)~~ To report possible IOB error.(U) ~~(S)~~ ~~Derived From: G-3~~
~~Declassify On: X1~~

Enclosure(s): For [REDACTED] CDC, an envelope containing the redacted portion of a bank statement which was erroneously provided to the FBI by the bank pursuant to an NSL request.

Details:

- (S) 1. [REDACTED] b1
b7A
- (S) 2. [REDACTED] b6
b7C
- (U) ~~(S)~~ 3. Possible IOB Error: b2
b7E
(S) [REDACTED]
- (U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).
- (U) ~~(S)~~ Possible IOB violation involving SA [REDACTED] SA [REDACTED]
[REDACTED] is supervised by SSA [REDACTED] of the [REDACTED]
JITF.
- (U) ~~(S)~~ Upon review of bank records requested via NSL, SA [REDACTED]
discovered a possible over collection of financial data. Serial 76 of

DATE: 12-17-2007
CLASSIFIED BY 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-17-2032

~~SECRET~~

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WHERE SHOWN OTHERWISE

b6
b7C
b2
b7E

NSL VIO-36045

~~SECRET~~

To: Inspection From: [redacted]
(U) Re: ~~(S)~~ 278-HQ-C1229736-V10, 03/17/2007

this case is an NSL addressed to [redacted] for financial records related to the subject. The NSL requests all records from [redacted]
[redacted]

(S) In response to the NSL, [redacted] provided, provided copies of account [redacted] in the subject's name. The first monthly statement provided by the bank encompassed the date range of [redacted] The statement contained three day's worth of bank data that was outside of the date range requested in the NSL. b1

(U) ~~(S)~~ The writer physically cut the three day's worth of over collected data from the monthly bank statement and provided it to the [redacted] CDC for storage.

(U) ~~(S)~~ [redacted] considers this potential IOB matter resolved.

b2
b7E
b4
b7D
b6
b7C

~~SECRET~~

2

NSL VIO-36046

~~SECRET~~

To: Inspection From:
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/27/2007

b2
b7E

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

♦♦

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/15/2007

To: Counterintelligence
Inspection
General Counsel

Attn: SSA [REDACTED]
CD-2A, Room 4133
Attn: IIS, Room 3041
Attn: NSLB, Room 7947

b6
b7C
b2
b7E

From: [REDACTED]

Contact: SA [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

Case ID #: (S) [REDACTED] (Closed)

(U) [REDACTED] 278-HQ-C1229736-VIO (Pending)

b1
b6
b7C
b2
b7E

Title: (S) [REDACTED]

POSSIBLE INTELLIGENCE
OVERSIGHT MATTER

(U) ~~Synopsis:~~ (S) To provide information regarding a possible Intelligence Oversight Board (IOB) violation involving captioned investigation.

(U) ~~Derived From :~~ G-3
~~Declassify On:~~ 03/15/2032

(U) ~~Details:~~ (S) The following information pertains to a possible IOB violation involving captioned [REDACTED] investigation:

- 1) SA [REDACTED] - former Case Agent
SSA [REDACTED] - [REDACTED] Supervisor

b1
b6
b7C
b2
b7E

(S) (2) [REDACTED]

(S) (3) [REDACTED]

DATE: 12-17-2007
CLASSIFIED BY 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-17-2032

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-36053

~~SECRET~~

To: Counterintelligence From: [REDACTED]
Re: (S) [REDACTED] (Closed) ~~(S)~~
278-HQ-CI209736-VIO, 03/09/2007

4) U.S. Person.

(S) (S) [REDACTED]
[REDACTED] On
01/11/2005, a FCRA request was submitted to [REDACTED] for header
information pursuant to Title 15, U.S.C. §§1681(u).

6) EXPLANATION:

(S) [REDACTED]
[REDACTED]
[REDACTED] On 01/11/2005, case agent submitted a §1681(u) FCRA
NSL to [REDACTED] requesting "personal identifying information"
and "Identity of Financial Institutions," citing Title 15, U.S.C.,
Section 1681(u).

(U) ~~(S)~~ [REDACTED] responded to the request on or about
02/01/2005. The case agent was not aware at the time the
response was provided that it contained 1681(v) material, to
include paperwork captioned [REDACTED]

(U) ~~(S)~~ The discovery of the 1681(v) material was made during a
review of the file on 03/07/2007. The [REDACTED] report was
removed from the captioned file and sequestered with the [REDACTED]
Division's Chief Division Counsel, pending resolution of the
potential IOB and additional guidance from National Security Law
Branch.

(U) ~~(S)~~ The case agent did not disseminate or take any further
action regarding the 1681(v) information contained in the report
in furtherance of the investigation.

~~SECRET~~

b1
b2
b7E
b4
b7D
b6
b7C

b1
b4
b7D
b2
b7E

~~SECRET~~

To: Counterintelligence From: [REDACTED]
Re: (S) [REDACTED] (Closed)
278-HQ-C1229736-VIO, 03/09/2007

(S)

b2
b7E
b1
b6
b7C

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) Request IIS to take appropriate action as necessary, in response to this potential IOB matter.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) Request NSLB to take appropriate action as necessary, in response to this potential IOB matter.

♦♦

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/22/2007

To: Inspection
General Counsel

Attn: IIS, Room 11361
Attn: NSLB, Room 7975

From: [REDACTED] JTTF

Contact: SA [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

(U) **Case ID #:** ~~(S)~~ 278-HQ-C1229736-VIO (Pending)
(S) [REDACTED] (Closed)
(S) [REDACTED] (Closed)

Title: (U) REPORT OF A POTENTIAL IOB MATTER

(S) [REDACTED]

(S) [REDACTED]

(U) **Synopsis:** ~~(S)~~ To report a potential IOB matter.

(U) ~~(S)~~ ~~Derived From : G-3~~
~~Declassify On: 03/22/2032~~

(U) **Reference:** ~~(S)~~ 278-HQ-C1229736-VIO Serial 2570
(S) [REDACTED]
(S) [REDACTED]
(S) [REDACTED]
(S) [REDACTED]
(S) [REDACTED]
(S) [REDACTED]

(U) **Details:** ~~(S)~~ On 03/19/2007, the writer was informed of a potential Intelligence Oversight Board (IOB) matter regarding a National Security Letter (NSL) issued for captioned [REDACTED]

DATE: 12-17-2007
CLASSIFIED BY: 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-17-2032

ALL INFORMATION CONTAINED
~~SECRET~~ HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

b2
b7E
b6
b7C

b1
b2
b7E
b6
b7C

NSL VIO-36056

~~SECRET~~

To: Inspection From: [REDACTED]
(U) ~~Re: (S)~~ 278-HQ-C1229736-V10, 03/12/2007

cases. Under the authority of Executive Order 12333, dated December 4, 1981, and pursuant to Title 12, United States Code (U.S.C.), Section 3414(a)(5), (as amended, December 13, 2003), the FBI can request financial records from a financial institution. On 08/18/2005, the [REDACTED] FBI issued a NSL under Section 3414(a)(5) for financial records from the [REDACTED]

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(S) [REDACTED] The NSL requested financial information on two people and an associated business. Each person was a subject of separate but related investigations. Therefore, the NSL was requested under both cases [REDACTED]. The NSL requested financial records for the captioned subjects and an associated business for the time period [REDACTED]. Instead of the requested time frame, the [REDACTED] FBI received financial records from [REDACTED]. This was an error on the part of the provider, the [REDACTED]

(S) In referenced NSL response [REDACTED] [REDACTED] provided financial information outside of the scope of the request. They provided financial information on a floppy computer disc with data from 08/29/2000 through 08/29/2005 when they were only requested to provide information from [REDACTED] (in this case [REDACTED]). The EC requesting the NSL [REDACTED] was dated 07/30/2005. The computer disk was forwarded under cover of an EC from [REDACTED] dated 10/03/2005. When the disc arrived in [REDACTED], case agents were already in the process of writing a search warrant for the subjects residence. Consequently, the disk was not reviewed at the time of arrival and [REDACTED] was not aware that [REDACTED] had provided financial information outside of the scope of the request. This error on the part of the provider was brought to the attention of the writer on 03/19/2007 as a result of the on-site inspection conducted by SSA [REDACTED]

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(U) ~~(S)~~ On 03/23/2007, the disc containing referenced financial information was pulled from the closed file and reviewed. The financial information was provided in a Microsoft Access file. All of the information provided on the Microsoft Access file that fell between 08/29/2000 and 02/28/2001 was deleted.

(S) During the relevant time, the case agent for [REDACTED] was SA [REDACTED] and the co-case agent was [REDACTED]

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To: Inspection From: [REDACTED]
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/12/2007

(S) SA [REDACTED] The case agent for [REDACTED] was
SA S [REDACTED] and the co-case was SA [REDACTED] During
the relevant time, both agent's supervisor was SSA [REDACTED]
[REDACTED] The referenced NSL was issued for information regarding
the subjects of both cases. The subject of [REDACTED]
[REDACTED] is a non-USPER. The subject of [REDACTED]
[REDACTED] is a USPER. [REDACTED]
[REDACTED]

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(U) This communication, consistent with the directives
in the referenced communication (278-HQ-C1229736, Serial 2570),
provides this information to report this potential IOB provider
error for whatever action is deemed appropriate.

~~SECRET~~

~~SECRET~~

To: Inspection From: [REDACTED]
(U) ~~Re: (S)~~ 278-HQ-C1229736-VIO, 03/22/2007

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LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

♦♦

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/16/2007

To: Counterintelligence
General Counsel
Inspection

Attn: CD-3A, SSA [REDACTED]
Attn: NSLP
Attn: Internal Investigative Section

From: [REDACTED]

Contact: SA [REDACTED]

Approved By: [REDACTED]

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Drafted By: [REDACTED]

(U) ~~Case ID #:~~ ~~(S)~~ 278-HQ-C1229736-VIO (Pending)

(S) [REDACTED] (Pending)

(U) ~~Title:~~ ~~(S)~~ REPORT OF A POTENTIAL IOB MATTER

(U) ~~Synopsis:~~ ~~(S)~~ To report a potential IOB matter involving an overproduction by a carrier.

(U) ~~Derived From:~~ ~~(S)~~ G-3
~~Declassify On:~~ 03/16/2032

Details: (S) During the investigation of [REDACTED] (Pending), Case Agent SA [REDACTED] discovered a potential IOB violation involving an overproduction by a carrier that had occurred in 2006, prior to SA [REDACTED] being assigned the case. [REDACTED] is an USDFR and [REDACTED]. The Supervisory Special Agent for this investigation is SSA [REDACTED].

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(S) SA [REDACTED], the previous case agent, requested through an NSL dated 04/12/06 from [REDACTED] subscriber information for [REDACTED] on date [REDACTED].

DATE: 12-17-2007
CLASSIFIED BY: 65179 DMH/KSR/JB
REASON: 1.4.(c)
DECLASSIFY ON: 12-17-2032

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

NSL VIO-36060

~~SECRET~~

To: General Counsel Attn: NSLB Inspection From: [REDACTED]
(U) ~~Re: (S)~~ 278-HQ-C1229736-V10, 03/16/2007

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(S) telephone line believed to be used by [REDACTED]¹ On 10/16/2006, a response was received from [REDACTED] identifying the subscriber as [REDACTED]. The response also indicated that the "Length of service from [REDACTED] This information was included [REDACTED] that eventually was withdrawn for other amendments and updates. The request form was never converted to a Declaration and thus the over-produced information was never submitted [REDACTED]

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(S) As of EC dated 10/20/2006, the case was reassigned to SA [REDACTED] upon SA [REDACTED] transfer to another squad. In preparation for a re-submittal [REDACTED] SA [REDACTED] sent another NSL dated 02/12/07 to [REDACTED] for the same information: subscriber information for [REDACTED] as of [REDACTED] response, included in EC dated 03/09/2007 and received on 03/14/07, was negative. On 03/16/07, SA [REDACTED] attempted to determine the cause of the discrepancy in the result despite the fact that the same information had been requested in the previous NSL. Upon comparing the results, SA [REDACTED] noticed that though the subscriber information was requested as of [REDACTED] the results from [REDACTED] did not conform to the date requested but were from [REDACTED]

(U) ~~(S)~~ Upon this discovery, SA [REDACTED] then consulted with SSA/ADC [REDACTED] Legal Department, [REDACTED] who advised that this was a possible IOB violation due to over-production by carrier. SA [REDACTED] advised that the over-production be sealed and sequestered with the CDC. SA [REDACTED] sealed the over-production on 03/16/07 and gave it to Legal Unit on 03/21/2007. The Legal Unit was also provided with [REDACTED] and copies of same contained in [REDACTED] files [REDACTED]

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(S) The FBI originally listed [REDACTED] as the number for which subscriber information was sought and subsequently amended the NSL to seek subscriber information for [REDACTED] on 8/2005.

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~~SECRET~~

To: General Counsel Attn: NSLB Inspection From:
(U) ~~Re: (S)~~ 278-HQ-C1229736-VIO, 03/16/2007

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LEAD(s) :

Set Lead 1: (Info)

COUNTERINTELLIGENCE

AT WASHINGTON, DC

(U) ~~(S)~~ Read and clear.

Set Lead 2: (Info)

INSPECTION

AT WASHINGTON, DC

(U) ~~(S)~~ Read and clear.

Set Lead 3: (Info)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) ~~(S)~~ Read and clear.

♦♦

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/16/2007

To: INSD
General Counsel

Attn: IIS
Attn: NSLE, Room 7947

From: [REDACTED]

Contact: SA [REDACTED]

Approved By: [REDACTED]

Drafted By:

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(U) **Case ID #:** ~~(S)~~ 278-HO-C1229736-VIO
~~(S)~~ 278- [REDACTED] 50078-A

Title: (U) REPORTS POTENTIAL IOB MATTER

(U) **Synopsis:** ~~(S)~~ To report a potential IOB matter based on the receipt of toll-record information from a telephone-service provider when only subscriber information was requested.

(U) ~~(S)~~ ~~Derived From: G-3~~
~~Declassify On: X1~~

Reference: (S) [REDACTED]

Details: (S) [REDACTED]
US Person (USPER), [REDACTED]
[REDACTED] The case agent is Special Agent (SA) [REDACTED]
[REDACTED] the supervisor is Supervisory Special Agent (SSA) [REDACTED]

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(U) ~~(S)~~ On 07/25/2005, during the course of the investigation, SA [REDACTED] submitted a National Security Letter (NSL) to obtain subscriber information for a telephone number [REDACTED] that was known to have been in contact with the subject. A date range of [REDACTED] was included in order to limit the request for subscriber records to the applicable time period.

DATE: 12-17-2007
CLASSIFIED BY: 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-17-2032

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-36063

~~SECRET~~

To: INSD From: [REDACTED]
(U) ~~Re: [REDACTED]~~ 279-HQ-C1229736-V10, 03/16/2007

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(U) ~~(S)~~ In 08/2005, SA [REDACTED] received the results of the NSL from [REDACTED] dated 08/14/2005. In addition to providing subscriber information for the telephone number, [REDACTED] [REDACTED] also provided toll records for the number for calls made between [REDACTED]. At the time of receipt, SA [REDACTED] did not take notice of the discrepancy between the information requested and the information provided, and submitted the toll records to be uploaded into the FBI [REDACTED]
[REDACTED]

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(U) ~~(S)~~ On 03/15/2007, during a review of the file, SA [REDACTED] noticed the discrepancy between the records requested and the records provided by [REDACTED] with respect to the 07/25/2005 request. At that time, SA [REDACTED] requested that the toll-record information be purged from the [REDACTED]. SA [REDACTED] was notified on the 03/15/2007 that the records had been removed from the database. SA [REDACTED] also notified SSA [REDACTED] and Acting CDC [REDACTED] regarding the discrepancy. In addition, SA [REDACTED] segregated the records from the file. The records are currently maintained in the [REDACTED] supervisor's safe awaiting further direction.

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To: INSD From: [REDACTED]
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/16/2007

LEAD(s) :

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Set Lead 1: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) The Office of The General Counsel is requested to review the circumstances regarding the possible IOB violation and to subsequently provide CDC [REDACTED] direction regarding the disposition of the records which were inadvertently collected.

LEAD(s) :

Set Lead 2: (Discretionary)

INSPECTION

AT INTERNAL INVESTIGATIVE SECTION, WASHINGTON, DC

(U) For action deemed appropriate.

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~~SECRET~~

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/26/2007

To: General Counsel

Attn: National Security Law Branch
Counterterrorism Law Unit
Room 7975

Inspection Division

Internal Investigations
Section (IIS)

From:

[Redacted]

Contact:

[Redacted]

Approved By:

[Redacted]

Drafted By:

Case ID #: (U) 278-HQ-C1229736-VIO
(U) 278-[Redacted]-A53003
(S) [Redacted]

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Title: (U) REPORT OF POTENTIAL INTELLIGENCE
OVERSIGHT BOARD (IOB) MATTER

Synopsis: (U) Report of a potential IOB matter to the National Security Law Branch (NSLB), Counterterrorism Law Unit (CLU), and the Inspection Division (ID) Internal Investigations Section (IIS).

(U) ~~(S)~~

~~Derived From: G-3~~
~~Declassify On: X1~~

Details: (U) As directed in the OGC e-mail to All CDCs dated March 21, 2007, titled "IOB Issues Relating to Inspection Division's Audit", the following is being reported to the NSLB, CLU, and to the ID, IIS, as a potential IOB matter:

(U) **1. Identification of the issue.**

(U) In the "Synopsis" portion of an EC dated December 10, 2003, it was reported to FBIHQ that the communication (EC) approved the issuance of an Electronic Communication Privacy Act

DATE: 12-17-2007
CLASSIFIED BY 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-17-2032

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-36066

~~SECRET~~

To: General Counsel From: [REDACTED]
Re: (U) 278-HQ-C1229736-VIO, 03/26/2007

(ECPA) National Security Letter (NSL). In the "Enclosure" portion of the same EC, the NSL was identified as being for financial records and addressed to [REDACTED]

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(U) From a review of a copy of the enclosed NSL, it was determined that a Right to Financial Privacy Act (RFPA) NSL was addressed and issued to [REDACTED] and correctly cited Title 12, United States Code (U.S.C.), Section 3414(a)(5).

(U) 2. Error believed committed.

(U) The "Synopsis" portion of the EC should have reported a RFPA NSL request.

(U) 3. Identification of the target.

(S) [REDACTED]
(S) [REDACTED]

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(U) 4. Identification of the subject's status.

(U) United States Person.

~~SECRET~~

~~SECRET~~

To: General Counsel From:
Re: (U) 278-HQ-C1229736-VIO, 03/16/2007

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LEAD (s):

Set Lead 1: (Action)

GENERAL COUNSEL
AT WASHINGTON DC

(U) It is requested that the above information be reviewed for a potential IOB violation.

Set Lead 2: (Action)

INSPECTION DIVISION
AT WASHINGTON DC

(U) It is requested that the above information be reviewed for a potential IOB violation.

♦♦

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: Priority

Date: 03/27/2007

To: General Counsel

Attn: NSLB

Inspection Division

Attn: Internal Investigations Section

From: [redacted]

RA Squad

Contact: SA [redacted] RA [redacted]

Approved By:

[redacted]

Drafted By:

Case ID #: 278-HQ-C1229736-VIO (Pending)
278-[redacted]-C71404

Title: POTENTIAL IOB VIOLATION

[redacted]

Synopsis: Report of potential IOB violation for [redacted]

Reference: 278-HQ-C1229736 Serial 355
278-HQ-C1229736 Serial 1347
66F-HQ-A1247863 Serial 149
66F-HQ-A1247863 Serial 172

Details: The following information is being provided a potential IOB violation:

Title: (S) [redacted]

[redacted]

File#: (S) [redacted]

[redacted]

Subject Resident Status: non-USPER

(S)

[redacted]

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Error: (U) A recent audit regarding National Security Letters (NSLs) revealed that a six month extension was granted in this matter on 10/1/2004. A further review failed to locate any communication that documents by name or position the [redacted] official that granted this permissible extension.

DATE: 12-17-2007
CLASSIFIED BY: 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-17-2032

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-36069

To: General Counsel From: [REDACTED]
Re: 278-HQ-C1229736-VI, 3/27/2007

Explanation: Case Agent, SA [REDACTED] was contacted and believes that an [REDACTED] ASAC was telephonically contacted at the time and based upon the enumerated facts approved this extension. SA [REDACTED] affirms that the required authority was received, however no communication was prepared to document same. On 10/1/2004, SA [REDACTED] was preparing to deploy to Afghanistan for a 90 day TDY and was attempting to ensure that all substantive case work and files were up to date and complete. SA [REDACTED] had also just finished a complex trial with dozens of witnesses and pieces of evidence.

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Action taken to rectify situation: SA [REDACTED] is aware of the importance of complete documentation in all FBI case files, especially Counterterrorism matters. SA [REDACTED] has been counseled by the [REDACTED] CDC and will ensure that documentation is complete in the future.

To: General Counsel From:
Re: 278-HQ-CIC29736-VI, 3/27/2007

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LEAD(s):

Set Lead 1: (Discretionary)

GENERAL COUNSEL

AT WASHINGTON, DC

For information and action deemed appropriate.

Set Lead 2: (Discretionary)

INSPECTION

AT WASHINGTON, DC

For information and action deemed appropriate.

♦♦

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY

Date: 03/27/2007

To: General Counsel

Attn: NSLB

Inspection Division

Attn: Internal Investigations Section

From: [redacted]

Contact: SSA [redacted]

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Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 278-HO-C1229736-VIO (Pending)
278-[redacted]-C71404

Title: POTENTIAL INTELLIGENCE OVERSIGHT BOARD (IOB) VIOLATION
[redacted]

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Synopsis: Report of Potential IOB violation for [redacted]

Details: A Potential IOB violation was discovered during [redacted] recent NSL Audit, the following information is provided:

Title: (S) [redacted]

File# (S) [redacted] (Closed)

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(S)

[redacted] in
accordance with the Attorney General Guidelines because the

[redacted] and appeared to have contact with a
SA [redacted] was assigned this

DATE: 12-17-2007
CLASSIFIED BY: 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-17-2032

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-36072

To: General Counsel From: [REDACTED]
Re: 278-HQ-C1229736-VI, 03/27/2007

matter while assigned to [REDACTED] which was supervised by SSA [REDACTED]
[REDACTED] at the time.

(S) [REDACTED]



(U) ~~(S)~~ During the period [REDACTED] the following investigation was conducted at [REDACTED] reports that between [REDACTED] telephone records which were previously obtained prior to [REDACTED] were uploaded [REDACTED] analyzed [REDACTED] SA [REDACTED] prepared a closing communication in this case prior to the expiration. These documents were never uploaded and file copies could not be located. During a subsequent file review in approximately July, 2005, it was determined the case was indeed still open in ACS. On 07/18/2005, [REDACTED] closed the case pursuant to the procedures and guidelines in effect at the time of the expiration, 05/20/2004. As [REDACTED] did not recognize the extension was not authorized by Headquarters at the one year period, a violation was not obvious to [REDACTED] until noted in the recent NSL audit.

(U) Subsequent to these oversights and prior to the recent NSL audit, [REDACTED] revamped the internal tickler system to better track expiration dates and provided training to Agent and SST personnel.

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To: General Counsel From:
Re: 278-HQ-C1029736-VI, 03/27/2007

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LEAD(s):

Set Lead 1: (Discretionary)

GENERAL COUNSEL

AT WASHINGTON, DC

For information and action deemed appropriate.

Set Lead 2: (Discretionary)

INSPECTION

AT WASHINGTON, DC

For information and action deemed appropriate.

♦♦

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY

Date: 03/27/2007

To: General Counsel

Attn: NSLB

Inspection Division

Attn: Internal Investigations Section

From:

[Redacted]

Contact: ASAC

[Redacted]

Approved By:

[Redacted]

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Drafted By:

Case ID #: 278-HO-C1229736-VIO (Pending)
278-[Redacted]-C71404

Title: POTENTIAL INTELLIGENCE OVERSIGHT BOARD (IOB) VIOLATION

[Redacted]

Synopsis: Report of Potential IOB violation for

[Redacted]

Details: A Potential IOB violation was discovered during [Redacted] recent NSL Audit, the following information is provided:

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Title: (S)

[Redacted]

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File# (S)

[Redacted]

(Closed)

(S)

[Redacted]

(S)

[Redacted]

[Redacted]

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DATE: 12-17-2007
CLASSIFIED BY: 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-17-2032

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

NSL VIO-36075

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To: General Counsel From: [REDACTED]
Re: 278-HQ-C1229736-VI, 03/27/2007

(S)

[REDACTED]

(S)

[REDACTED]

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(S) During the course of this investigation, there was extensive communications between SA [REDACTED] and numerous individuals at Headquarters as well as within the Department of Justice (DOJ). Individuals were routinely updated as collective efforts [REDACTED]. These updates included an oral presentation by SA [REDACTED] at Headquarters in November 2005 before DOJ Attorneys, Unit Chiefs, Supervisors and [REDACTED]. [REDACTED] Despite these routine updates, SA [REDACTED] apparently neglected to provide an annual LHM after the one year period. The LHM was not prepared in this matter until it was closed in September 2006.

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(U) During the time the annual LHM was due, SA [REDACTED] was also serving as the Joint Terrorism Task Force Coordinator for [REDACTED] in addition to carrying cases. The violation was not discovered until noted in the recent NSL audit.

(U) Subsequent to these oversights and prior to the recent NSL audit, [REDACTED] revamped the internal tickler system to better track expiration/reporting dates and provided training to Agent and SST personnel.

To: General Counsel From:
Re: 278-HQ-C1229736-VI, 03/27/2007

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LEAD(s):

Set Lead 1: (Discretionary)

GENERAL COUNSEL

AT WASHINGTON, DC

For information and action deemed appropriate.

Set Lead 2: (Discretionary)

INSPECTION

AT WASHINGTON, DC

For information and action deemed appropriate.

♦♦

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/27/2007

To: Inspection

Attn: IIS, Room 11361

General Counsel

Attn: NSLB, Room 7975

Attn: ADC [REDACTED]

From: [REDACTED]

Contact: SA [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

(U) Case ID #: ~~(S)~~ 278-HQ-C1229736-VIO

(U) 62E [REDACTED] A89455-IOB

(S) ~~(S)~~ [REDACTED]

Title: (U) INTELLIGENCE OVERSIGHT BOARD (IOB) ERROR

(U) Synopsis: ~~(S)~~ To report possible IOB error.(U) ~~(S)~~~~Derived From: G-3
Declassify On: X1~~(U) Enclosure(s): ~~(S)~~ Enclosed for [REDACTED] CDC/ADC: (1) FD-340 containing original NSL results obtained from [REDACTED] on CD-ROM media.

Details:

(S) 1. [REDACTED]

(S) 2. [REDACTED]

(U) ~~(S)~~ 3. Possible IOB Error:

(S) [REDACTED]

(U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).(U) ~~(S)~~ On 01/16/2007, a National Security Letter (NSL) requesting the name, addresses, and length of service and electronic communications transactional records, to include existingDATE: 12-17-2007
CLASSIFIED BY: 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-17-2032~~SECRET~~ALL INFORMATION CONTAINED
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NSL VIO-36078

~~SECRET~~

To: Inspection From: [redacted]
(U) ~~(S)~~ Re: 278-HQ-C1229736-VIO, 03/27/2007

(S) transaction/activity logs and all electronic mail (e-mail) header information (not to include message content and/or subject fields).
for the address holder of [redacted] was prepared and approved in accordance with the Attorney General Guidelines. The NSL was served by the [redacted] on 01/15/2007. [redacted] provided the results of the NSL to the [redacted] which was received by case agent on 03/27/2007.

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(U) ~~(S)~~ Upon review of the NSL results on 03/27/2007, SA [redacted] discovered the inclusion of possible content information in the header information provided by [redacted]

[redacted]

[redacted] This information was not requested by the FBI. Furthermore, [redacted] appeared to be in compliance with the NSL in providing header information. The

[redacted]

(U) ~~(S)~~ Subsequent to the discovery of the additional header information, SA [redacted] sequestered the original CD-ROM media sent by [redacted] and will provide the CD-ROM along with a copy of this EC for storage by [redacted] Division Counsel until further instructions are provided by NSLE.

(U) ~~(S)~~ All information found adjacent to the [redacted] will be redacted by [redacted] and will not be utilized by the case agent in any analysis, nor documented in the case file.

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SECRET

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NSL VIO-36079

~~SECRET~~

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To: Inspection From: [REDACTED]
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/27/2007

LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

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3

NSL VIO-36080

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/15/2007

To: Inspection
General Counsel
New York

Attn: IIS, Room 11361
Attn: NSLB, Room 7975
Attn: Legal Unit

From: [REDACTED]

Contact: [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

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(U) Case ID #: ~~(S)~~ 278-HQ-C1229736-VIO (Pending)
(S) [REDACTED] (Pending)
(S) [REDACTED] (Closed)

Title: (U) REPORT OF A POTENTIAL IOB ERROR

(U) Synopsis: ~~(S)~~ To report possible IOB error.

(U) ~~(S)~~ ~~Derived From : G-3~~
~~Declassify On: 03/15/2032~~

(U) Enclosures: ~~(S)~~ For the Chief Division Council of the [REDACTED]
copy of RFPA National Security Letter (NSL), and original credit
report received therefrom for purposes of sequestration.

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Details:

(S) 1. [REDACTED]

(S) 2. [REDACTED]

(U) ~~(S)~~ 3. Possible IOB Error: A carrier providing information beyond
the scope of the FISC order or other relevant legal authority
resulting in the unintentional acquisition of data.

(S) [REDACTED]

DATE: 12-17-2007
CLASSIFIED BY: 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-17-2032

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

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NSL VIO-36081

~~SECRET~~

To: Inspection From: [REDACTED]
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/15/2007

(U) ~~(S)~~ 4. Description of IOB Error (including any reporting delays).

(S) On or about May 26, 2004, an RFPA National Security Letter (NSL) was served to [REDACTED] requesting the name, address and all financial institutions (as defined in title 12, U.S.C., Section 3401) relating to [REDACTED]

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(U) ~~(S)~~ The NSL, submitted pursuant to 15 U.S.C. § 1681(u)(a), was drafted by Case Agent [REDACTED] which is supervised by SSA [REDACTED]. The NSL specifically requested the names and addresses of all financial institutions (as defined in Title 12, U.S.C., Section 3401) at which the below-named consumer maintains or has maintained an account:

(S)

[REDACTED]

(U) ~~(S)~~ On May 26, 2004, the NSL was executed by [REDACTED]. In executing this NSL, [REDACTED] provided the subject's entire credit report, as opposed to the requested record of just financial institutions. Therefore, [REDACTED] erroneously provided additional information that was over-and-above that which was requested by the NSL. The NSL clearly requested financial institution records under 15 U.S.C. § 1681(u)(a). Case Agent discovered this problem on March 14, 2007, and took immediate action to report the incident and submit the full credit report to the Chief Division Council of the [REDACTED] for sequestration on March 15, 2007. No copies of the report remain in case file.

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(U) ~~(S)~~ The possible violation was not reported in 2004 because case Agent was not aware, at the time, that receiving a full credit history was beyond the scope of authorization.

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NSL VIO-36082

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To: Inspection From:
(U) Re: ~~(S)~~ 278-HQ-C1229736-VIO, 03/15/2007

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LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) For action deemed appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) For action deemed appropriate.

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~~SECRET//20320327~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/27/2007

To: General Counsel
Inspection

Attn: NSLB
Attn: IIS

From: [REDACTED]

JTTF

Contact: SA [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

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(U) ~~(S)~~ **Case ID #:** ~~(S)~~ 278-HQ-C1229736-VIO (Pending)
(U) 278-[REDACTED]-C71404 (Pending)

(U) ~~(S)~~ **Title:** ~~(S)~~ INTELLIGENCE OVERSIGHT BOARD(IOB) VIOLAT
ATLANTA DIVISION

Synopsis: (U) Report of a potential Intelligence Oversight
Board(IOB) matter.

(U) ~~(S)~~ ~~Derived From : G-3~~
~~Declassify On: 03/27/2032~~

Reference: (S) [REDACTED]

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Details: (S) [REDACTED]

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(S) [REDACTED]

(S) On 09/07/2007, SA [REDACTED] submitted an
electronic communication (EC) seeking [REDACTED]
[REDACTED] Per referenced serial, the
[REDACTED] to allow sufficient time for toll record

DATE: 12-17-2007
CLASSIFIED BY: 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-17-2032

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NSL VIO-36084

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To: General Counsel From: [REDACTED]
(U) ~~Re: (S)~~ 278-HQ-C1229736-VIO, 03/27/2007

analysis to be completed by the Field Intelligence Group (FIG). The [REDACTED] Supervisor, National Security Branch (NSB) ASAC, and SAC, were listed in the "Approved By:" portion of the EC. When the EC was submitted by SA [REDACTED] it was approved by the IT-2 Squad Supervisor.

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(S) As a result of an audit of National Security Letters (NSL) conducted in the [REDACTED] it was noted that the physical case file for [REDACTED] did not contain a copy of the referenced serial, signed by an ASAC or higher authority. The physical case file for [REDACTED] contained a copy of the referenced EC only signed by the supervisor. SA [REDACTED] noted the EC had been uploaded into ACS on 09/11/2006, and continued to work on the PI under the assumption that it had been extended.

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(S) SA [REDACTED] believes the EC [REDACTED] was in fact approved by an ASAC or higher authority. The EC in question was also sent to ITCS I, CONUS II, to notify them [REDACTED]

(S) At the time the referenced document was written by SA [REDACTED] he had been working in the [REDACTED] for less than two months. SA [REDACTED] had recently transferred from the Birmingham Division, Huntsville RA. Due to the distance from Birmingham (Headquarters City) to Huntsville RA, it was possible that a week or more pass before receiving a signed copy of documents. As a result of delays due to interoffice mail, the fact that a document had been uploaded into ACS was one way to determine if the document had been approved. SA [REDACTED] based his assumption that the [REDACTED] on the fact the document had been uploaded into ACS.

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(U) ~~(S)~~ The closing EC provided the information mandated by Headquarters policy for closing [REDACTED] and was sent to CTD.

(S) In the future, [REDACTED] case agents will personally insure that a copy of [REDACTED] signed by the ASAC are maintained in case files.

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To: General Counsel From:
(U) Re: ~~(S)~~ 273-HQ-C1229736-VIO, 03/27/2007

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LEAD(s) :

Set Lead 1: (Discretionary)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) NSLB; for information and action deemed appropriate.

Set Lead 2: (Discretionary)

INSPECTION

AT WASHINGTON, DC

(U) IIS; for information and action deemed appropriate.

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/26/2007

To: Inspection
General Counsel

Attn: Internal Investigations
Sect.
Attn: Natl. Sec. Law Branch

From: [Redacted]
Contact: Legal Unit
CDC [Redacted]

Approved By: [Redacted]

Drafted By: [Redacted]

Case ID #: (U) 278-HO-C1229736-VIO (Pending)
(U) 278-[Redacted]-C76506 (Pending)
(S) [Redacted] (Closed)

Title: (U) POTENTIAL INTELLIGENCE OVERSIGHT
BOARD (IOB) MATTER

Synopsis: (U) To report a potential IOB matter to the
Inspection Division and to the General Counsel.

(U) ~~Derived From : G-3~~
~~Declassify on: 03/26/2017~~

Details: (S) [Redacted]

[Redacted]
[Redacted] The subject of this
investigation is a U.S. Person. The investigation was opened by
the [Redacted] JTTF SSA [Redacted] and assigned to TFO [Redacted]

DATE: 12-17-2007
CLASSIFIED BY 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-17-2032

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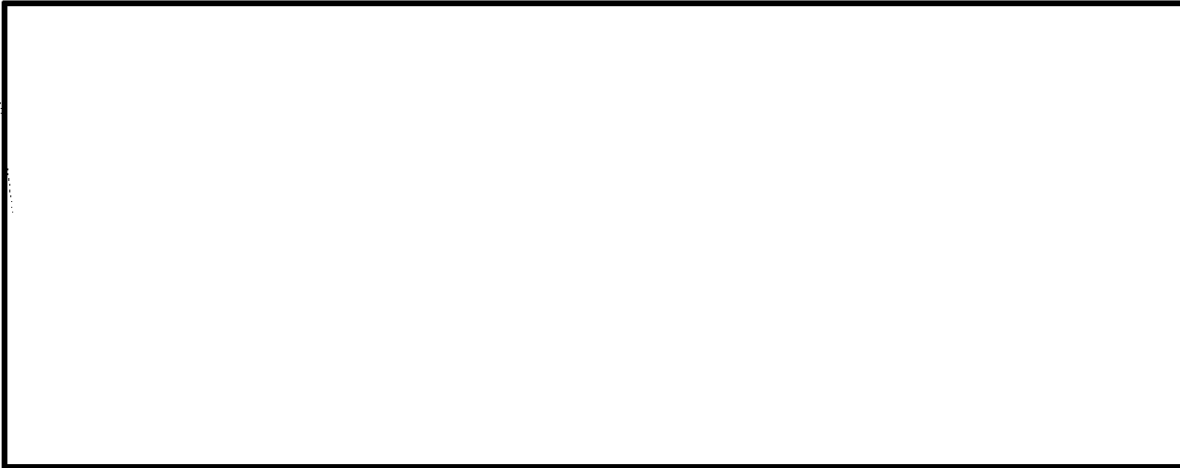
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NSL VIO-36087

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To: Inspection From: [REDACTED]
Re: (U) 278-HQ-C1229736-V10, 03/16/2007

(S)



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(S) The file does not request any investigation until
03/14/2005 when TFO [REDACTED] requested [REDACTED]



(S) This investigation was selected for review during the field-wide audit of National Security Letters conducted 03/16-21/2007 in [REDACTED]. Although no NSLs were issued from this investigation, Inspector [REDACTED] noted the lapse in dates between the expirations of the PI and the extension of that PI and the case closing. The file was referred to the CDC on 03/19/2007 and a decision was made by the CDC to refer it as a possible IOE matter on 03/20/2007 because of the claim the case [REDACTED]

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(S) SAC [REDACTED] notes that the predication for this investigation is sufficient for a Preliminary Investigation. The Attorney General Guidelines for National Security Investigations provide for the opening of a Preliminary International Terrorism Investigation based upon information or an allegation indicating an individual or group is acting on behalf of an international

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To: Inspection From: [REDACTED]
Re: (U) 278-HQ-C1229736-VIO, 03/16/2007

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(S) terrorist organization: [REDACTED]
[REDACTED]
[REDACTED]

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It is therefore asserted that the claim by the case agent that the case was improperly predicated is false.

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To: Inspection From: [REDACTED]
Re: (U) 278-HQ-C1229736-VIO, 03/26/2007

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LEAD(s) :

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) Review this EC and take action as appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) Review this EC and advise the Inspection Division, IIS on the referral of this matter as a potential IOB violation.

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/27/2007

To: Inspection
General Counsel

Attn: Internal Investigations
Sect.
Attn: Natl. Sec. Law Branch

From: [Redacted]
Contact: CDC [Redacted] Legal Unit

Approved By: [Redacted]

Drafted By: [Redacted]

Case ID #: (U) 278-HQ-C1229736-VIO (Pending)
(U) 278 [Redacted] C76506 (Pending)
(S) [Redacted] (Closed)

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Title: (U) POTENTIAL INTELLIGENCE OVERSIGHT
BOARD (IOB) MATTER

Synopsis: (U) To report a potential IOB matter to the
Inspection Division and to the General Counsel.

(U) ~~Derived From : G-3~~
~~Declassify On: 03/27/2017~~

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Details: (S) [Redacted]

[Redacted]
[Redacted] The investigation was opened by the Squad
[Redacted] JTTF acting SSA [Redacted] and assigned to TFO [Redacted]
[Redacted] The subject is a U.S. Person. The

[Redacted]

(S) [Redacted]

[Redacted]

DATE: 12-17-2007
CLASSIFIED BY 65179 DMH/KSR/JB
REASON: 1.4 (c)
DECLASSIFY ON: 12-17-2032

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NSL VIO-36091

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To: Inspection From: [REDACTED]
Re: (U) 278-HQ-C1229736-VIO, 03/27/2007

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(S)

[REDACTED]

This investigation was selected for review during the field-wide audit of National Security Letters conducted 03/16-21/2007 in [REDACTED]. Although no NSLs were issued from this investigation Inspector [REDACTED] noted the lapse in dates between the expirations [REDACTED]. The file was referred to the CDC on 03/20/2007 and a decision was made by the CDC to refer it as a possible IOB matter on 03/21/2007 because of the information in the file which may have been obtained [REDACTED].

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LEAD (s) :

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To: Inspection From: [REDACTED]
Re: (U) 278-HQ-C1329736-VIO, 03/27/2007

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b7E

Set Lead 1: (Action)

INSPECTION

AT WASHINGTON, DC

(U) Review this EC and take action as appropriate.

Set Lead 2: (Action)

GENERAL COUNSEL

AT WASHINGTON, DC

(U) Review this EC and advise the Inspection Division, IIS on the referral of this matter as a potential IOE violation.

♦♦

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FEDERAL BUREAU OF INVESTIGATION
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